

Table of Contents

Supplemental Motion Record - Intervenor - City of Windsor 17 FEB 2022	2
INDEX	5
Tab 01 Second Supplemental Affidavit of J Reynar 17 FEB 2022	9
Exhibit A - City of Windsor press release 11 FEB 2022	14
Exhibit B - City of Windsor press release 12 FEB 2022	17
Exhibit C - City of Windsor press release 16 FEB 2022	19
Exhibit D - Social Media Posts of the City of Windsor 14-16 FEB 2022	21
Exhibit E - Sign with QR to Order of CJ Morawetz 11 FEB 2022	26
Exhibit F - Photographs showing locations of signs with QR Code linking to Order of CJ Morawetz 11 FEB 2022	28
Exhibit G - Copy of one of the 500 paper copies of Order of CJ Morawetz 11 FEB 2022	41
Exhibit H - City of Windsor By-Law 9023	44
Tab 02 Affidavit of F Costante 17-FEB-2022	80
Exhibit A - Map of Ward 2	84
Tab 03 Affidavit of C McKinnon	87
Exhibit A - @ConsumerSOS Twitter post 11 FEB 2022 639 PM	92
Exhibit B - Fox 2 Detroit YouTube 11 FEB 2022	94
Exhibit C - @ConsumerSOS Global News 12 FEB 2022 148 PM	96
Exhibit D - WINDSOR SLOWDOWN to Support the Ottawa Convoy Facebook Danielle Marie 12 FEB 2022 751 PM	98
Exhibit E - WINDSOR SLOWDOWN to Support the Ottawa Convoy Facebook Sherri Noviss 13 FEB 2022 849 PM	101
Tab 04 Affidavit of J Bellaire	105
Exhibit A - Windsor Police Service news release 11 FEB 2022	119
Exhibit B - Flyer "Did You Know" 11 FEB 2022	122
Exhibit C - Twitter @WindsorPolice 9-15 FEB 2022	124
Exhibit D - Windsor Police Service News Release 13 FEB 2022	134
Exhibit E - Windsor Police Service News release 14 FEB 2022	137
Exhibit F - Flyer "HOLD THE LINE" 19 FEB 2022	140

Court File No.: CV-22-00030791-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

AUTOMOTIVE PARTS MANUFACTURERS' ASSOCIATION

Plaintiff/
Moving Party

- and -

JIM BOAK, JOANNE CALLAWAY, HILDA FISHER,
LORI INVERARITY, LEO LUCIO, GIL PONTE, MANBAE SINGH-GALL
DARLENE THOMPSON and JOHN DOE

Defendants/
Responding Parties

- and -

THE CORPORATION OF THE CITY OF WINDSOR,
ATTORNEY GENERAL FOR ONTARIO

Intervening Parties

-and-

THE DEMOCRACY FUND

Intervenor/
Friend of the Court

**SUPPLEMENTAL MOTION RECORD
OF THE INTERVENOR, THE CORPORATION OF THE CITY OF WINDSOR**

February 17, 2022

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The Corporation of the City of Windsor

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Counsel for the Intervenor,
The Attorney General of Ontario

Court File No.: CV-22-00030791-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

AUTOMOTIVE PARTS MANUFACTURERS' ASSOCIATION

Plaintiff/
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- and -

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Defendants/
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- and -

THE CORPORATION OF THE CITY OF WINDSOR,
ATTORNEY GENERAL FOR ONTARIO

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-and-

THE DEMOCRACY FUND

Intervenor/
Friend of the Court

INDEX

Tab	Description
1	Second Supplemental Affidavit of Jason Ward Reynar, affirmed February 17, 2022
<u>Exhibits</u>	

A	City of Windsor, press release, February 11, 2022
B	City of Windsor, press release, February 12, 2022
C	City of Windsor, press release, February 16, 2022
D	Social Media Posts of the City of Windsor between February 14-16, 2022
E	Sign with QR Code linking to CV-22-00030791-0000 Order of Chief Justice G. B. Morawetz, February 11, 2022
F	Photographs showing locations of signs with QR Code linking to CV-22-00030791-0000 Order of Chief Justice G. B. Morawetz, February 11, 2022
G	Copy of one of the 500 paper copies of CV-22-00030791-0000 Order of Chief Justice G. B. Morawetz, February 11, 2022
H	City of Windsor By-Law 9023
2	Affidavit of Fabio Constante, sworn February 17, 2022
<u>Exhibits</u>	
A	Map of City of Windsor, Ward 2
3	Affidavit of Cheryl McKinnon, sworn February 17, 2022
<u>Exhibits</u>	
A	Twitter link to @ConsumerSOS, Sean O'Shea, Global News video post dated February 11, 2022 at 6:39 P.M.: https://twitter.com/ConsumerSOS/status/1492282220475727873?s=20&t=TVe6aR290-OSuuVxq0MgTg
B	Fox 2 Detroit, YouTube, "Protestors blocking Ambassador Bridge plan to stand their ground", February 11, 2022: https://www.youtube.com/watch?v=XzRINfMcBNo
C	Twitter link to @ConsumerSOS, Sean O'Shea, Global News video post dated February 12, 2022 at 1:48 P.M.: https://twitter.com/ConsumerSOS/status/1492571204665974787?s=20&t=TVe6aR290-OSuuVxq0MgTg
D	"WINDSOR SLOWDOWN to Support the Ottawa Convoy", Facebook, Danielle Marie post dated February 12, 2022, 7:51 P.M.

E	"WINDSOR SLOWDOWN to Support the Ottawa Convoy", Facebook, Sherri Noviss post dated February 13, 2022, 8:49 P.M., with responses from Garth Mousseau and Pamela L. Couvillon
4	Affidavit of Jason Bellaire, sworn February 17, 2022
Exhibits	
A	Windsor Police Service, news release, February 11, 2022
B	Flyer, "Did You Know", February 11, 2022
C	Windsor Police Service, Twitter, @WindsorPolice posts dated February 9-15, 2022
D	Windsor Police Service, news release, February 13, 2022
E	Windsor Police Service, news release, February 14, 2022
F	Poster, "HOLD THE LINE", February 19, 2022

Court File No: CV-22-00030791-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

AUTOMOTIVE PARTS MANUFACTURERS' ASSOCIATION

Plaintiff/
Moving Party

-and-

JIM BOAK, JOANNE CALLAWAY, HILDA FISHER,
LORI INVERARITY, LEO LUCIO, GIL PONTE, MANBAE SINGH-GALL
DARLENE THOMPSON and JOHN DOE

Defendants/
Responding Parties

-and-

THE CORPORATION OF THE CITY OF WINDSOR,
ATTORNEY GENERAL FOR ONTARIO

Intervening Parties

-and-

THE DEMOCRACY FUND

Intervenor/
Friend of the Court

SECOND SUPPLEMENTAL AFFIDAVIT OF JASON WARD REYNAR
(Affirmed February 17, 2022)

I, Jason Ward Reynar, of the City of Windsor, in the Province of Ontario, make oath and say:

1. I have been the Chief Administrative Officer of the Corporation of the City of Windsor (the "City") since April 6, 2021. As such, I have knowledge of the matters set forth in this affidavit, except where I have received information from others, in which case I disclose the source of the

information and verily believe it to be true. This Affidavit supplements my Affidavits sworn February 10, 2022 and February 11, 2022.

Notice of the February 11 Order

2. The Order of Chief Justice Morawetz issued February 11, 2022 (the “**February 11 Order**”), provides the following process for notice to be given of the February 11 Order:

- a. The creation of a URL whereby the February 11 Order can be viewed and downloaded; and
- b. The Plaintiff, the City, and the Attorney General of Ontario (“**AG**”) to issue press releases containing the URL and that the hearing of a motion to continue the February 11 Order will be held on Friday, February 18, 2022 at 10:00 am by videoconference.

3. I have been advised by Jason Moore, Senior Manager of Communications for the City of Windsor, that at 8:18 pm on February 11, 2022, he issued a press release on behalf of the City stating, among other things:

“Effective 7:00 pm on Friday, February 11, 2022, any persons having notice of the Order granting the injunction are restrained and enjoined from impeding or blocking access to the Ambassador Bridge and indirect or direct approaching roadways and access points for ten (10) days.”

A copy of the City’s February 11, 2022 press release attached as **Exhibit “A”**.

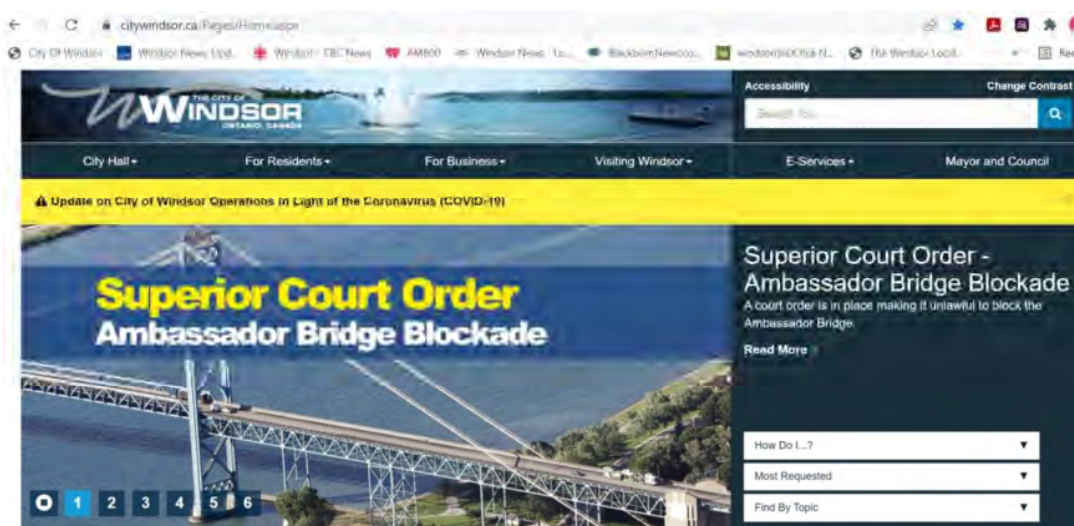
4. Mr. Moore further advised me that on February 12, 2022 at 4:47 pm he issued a press release on behalf of the City containing the URL linking to the February 11 Order as well as the date, time and location of the motion to continue the February 11 Order. A copy of the City’s February 12, 2022 press release is attached as **Exhibit “B”**.

5. I am advised by Mr. Moore that on February 16, 2022 at 4:46 pm, on behalf of the City he issued a press release stating, among other things:

As provided in the Chief Justice Morawetz' Order, the hearing of a motion to continue the injunction Order will be held before the Court in Windsor by videoconference on February 18, 2022 at 10:00 am.

The City's February 16, 2022 press release provided the Zoom link to view the hearing. A copy of the February 16, 2022 press release is attached as **Exhibit "C"**.

6. Each of the three above City press releases were distributed to approximately 73 members of the press, 8 contacts within Windsor Police Service, and 25 contacts for the City's elected officials and key and senior staff. At or about the same time the press releases were issued, they were each also posted on the City's website.
7. The City has taken further steps to give notice of the February 11 Order.
8. I am advised by Mr. Moore that, on February 12, 2022 at 10:00 am, he placed a link to the February 11 Order on the City's webpage. The link is available by accessing the City's website, www.citywindsor.ca. Mr. Moore took the following screen capture on February 17, 2022 at 12:06 pm depicting the link on the home screen of the City's website:



9. On Monday February 14, 2022 at 10:25 am; Tuesday February 15, 2022 at 8:48 am, and Wednesday February 16, 2022 at 11:00 am the City posted reminders to its official twitter feed,

linking the public to the February 11 Order on the City's website. Attached collectively as **Exhibit "D"** is a printout of these social media posts.

10. I am advised by Roberto Pettica, Supervisor of Signs and Markings for the City of Windsor, that the City posted twelve, large-format copies of the February 11 Order measuring eight feet wide by two feet tall at various locations along Huron Church Street. The signs include a QR code which may be viewed with a smartphone camera to access the URL linking to the February 11 Order. A scaled-down copy of the large-format sign is attached as **Exhibit "E"**. Copies of photographs, with maps showing the locations where the signs were posted, are attached collectively as **Exhibit "F"**.

11. I am advised by Mary Rodgers, Marketing and Communications Officer for the City of Windsor, that the City printed 500 paper copies of the February 11, 2022 Order and provided the copies to the Police. The City delivered these paper copies to the Windsor Police Service Operations Centre at 4:40 pm on February 14, 2022. A copy of one of the paper copies is attached as **Exhibit "G."**

City Parking By-Law

12. By-Law 9023 is the City of Windsor's Parking By-Law. A copy is attached as **Exhibit "H"**.

13. By-Law 9023 includes the following:

- a. Section 10(1)(i) (Parked Obstructing Traffic Movement), which provides materially:
"No person shall park a vehicle at any time ... on any roadway so as to obstruct or interfere with the movement of traffic..."
- b. Section 10(2)(b) (Parking in a No Parking Zone), which provides materially: "When properly worded or marked signs have been erected and are on display, no person

shall park a vehicle ... within fifteen metres (15 m.) of an intersection unless permitted under the provisions of this or any other by-

(Parked on a Boulevard/Sidewalk), which provides materially "No person shall park a vehicle on, over or along any boulevard, sidewalk, curb, pathway, footpath or crosswalk used by or set aside for the use of pedestrians and forming part of any highway..."

Parked on City Property Without Consent), which provides "No person shall park or leave any motor vehicle on property owned or occupied by the Corporation without the consent of the Corporation."

Parked Facing The Wrong Way h provides materially "On every highway a vehicle which is stopped for the purpose of taking on or discharging passengers, or loading or unloading merchandise, shall be brought by its operator to a stop with the righthand wheels thereof not more than thirty centimetres (30 cm.) from the righthand curb, and where parking is permitted on the lefthand side of a one way highway, the lefthand wheels of a vehicle stopped for any of the purposes aforesaid shall not be more than thirty centimetres (30 cm.) from the lefthand curb..."

AFFIRMED BEFORE ME remotely in the City of Windsor, in the Province of Ontario, on February 17, 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

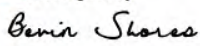
DocuSigned by:
Bevin Shores
75E43E7F402846F...

DocuSigned by:
Jason Ward Regar
444F79CD02F24CE...

Commissioner for Taking Affidavits
(or as may be)

Bevin E. Shores
LSO No. 56161F

This is Exhibit "A" referred to in the
Second Supplemental Affidavit of
JASON WARD REYNAR
Before me, this 17 day of February, 2022

DocuSigned by:

75E43E7F402846F...

A Commissioner for Taking Affidavits
Bevin E. Shores
LSO No. 56161F

From: Communications (CCW)
Sent: Friday, February 11, 2022 8:18 PM
To: Communications (CCW)
Subject: News-Release - Ontario Superior Court Grants Injunction



NEWS RELEASE

For Immediate Release
February 11, 2022

Ontario Superior Court Grants Injunction

After hearings held on Thursday February 10 and Friday February 11, 2022 Chief Justice Morawetz of the Ontario Superior Court of Justice granted an injunction to restrain individuals from establishing a blockade, or in any way impeding access, to the Ambassador Bridge.

Effective 7:00 pm on Friday, February 11, 2022, any persons having notice of the Order granting the injunction are restrained and enjoined from impeding or blocking access to the Ambassador Bridge and indirect or direct approaching roadways and access points for ten (10) days.

People remain at liberty to engage in a peaceful, lawful and safe protest that does not impede or block access to the Ambassador Bridge and approaching roadways. The terms of the Order and any applicable law must be complied with.

The Automotive Parts Manufacturers' Association (APMA), as representative plaintiff, and intervener the City of Windsor, provided evidence regarding the dramatic local, national and international economic consequences of the ongoing blockade. The Ontario Attorney General intervened in support of the injunction, and the Canadian Vehicle Manufacturers' Association joined to support the APMA's request.

Windsor-Essex is home to the largest auto cluster in North America. Vehicle parts cross the border an average of seven times before finished vehicles roll off the lines. The Windsor-Detroit trade corridor is one of the busiest commercial border crossing in the world; it is estimated that more than \$450 million in goods cross the Windsor-Detroit border every day, representing one-third of all surface trade between Canada and the USA.

More than 6,500 people residing in the Windsor-Essex area work outside of Canada, nearly all of whom commute across the Windsor-Detroit border.

Windsor-Essex boasts an industry profile of more than 1000 manufacturers, \$4.5 billion of manufactured goods produced in annual GDP – 30% of the region's total GDP production, 90-plus auto and parts manufacturers and an excess of 250 machine, tool, die and mold companies which are all key components of the integrated global value chain.

70-80% of Ontario's greenhouse produce is exported to the United States. There are over 3,200 acres of vegetable greenhouses in Ontario with approximately 2,600 acres (or 80%) in Windsor-Essex. Ontario agriculture exports to the U.S in 2016, totaled \$683.5 million.

Law enforcement will collaborate and coordinate to assess next steps for ensuring compliance with the Court's order. No operational details will be disclosed, to ensure the safety and security of all involved.

-30-

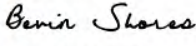
Media Contacts:

Andrew Teliszewsky
Chief of Staff
Mayor's Office
(519) 990-3035

Jason Moore
Senior Manager of Communications and
Customer Service
519-551-9011

DocuSign Envelope ID: 741D0E16-C439-4BBD-8E18-21036DA317A8

This is Exhibit "B" referred to in the
Second Supplemental Affidavit of
JASON WARD REYNAR
Before me, this 17 day of February, 2022

DocuSigned by:

75E43E7F402846F...

A Commissioner for Taking Affidavits
Bevin E. Shores
LSO No. 56161F

From: Communications (CCW)
Sent: Saturday, February 12, 2022 4:46 PM
To: Communications (CCW)
Subject: News-Release - Ontario Superior Court Order



NEWS RELEASE

For Immediate Release
February 12, 2022

Ontario Superior Court Order

After hearings held on Thursday February 10 and Friday February 11, 2022 Chief Justice Morawetz of the Ontario Superior Court of Justice granted an injunction to restrain individuals from establishing a blockade, or in any way impeding access, to the Ambassador Bridge.

Effective 7:00 pm on Friday, February 11, 2022, any persons having notice of the Order granting the injunction are restrained and enjoined from impeding or blocking access to the Ambassador Bridge and indirect or direct approaching roadways and access points for ten (10) days.

The Court also ordered that notice of the injunction Order shall be given as follows:

“... by the creation of a URL whereby this Order can be viewed and downloaded, with the Plaintiff, The Corporation of the City of Windsor, and the Attorney General of Ontario issuing press releases containing the URL linking to the Order and the date, time and location of the hearing date contemplated at paragraph 14 of this Order”

In accordance with the Order of Chief Justice Morawetz issued February 11, 2022:

- The link to view and download the injunction Order is found at: https://mctaguelaw-my.sharepoint.com/:f:/p/onedrive/ErlE2slc0HBIh9_tODsToxoBq-UH0sBsvyOFMu7fqlv0WQ?e=qZt6Na
- The hearing of the motion to continue the injunction Order will be held before the Court in Windsor by videoconference on February 18, 2022 at 10:00 am

-30-

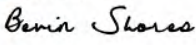
Media Contacts:

Andrew Teliszewsky
Chief of Staff
Mayor's Office
(519) 990-3035

Jason Moore
Senior Manager of Communications and
Customer Service
519-551-9011

DocuSign Envelope ID: 741D0E16-C439-4BBD-8E18-21036DA317A8

This is Exhibit "C" referred to in the
Second Supplemental Affidavit of
JASON WARD REYNAR
Before me, this day of February, 2022

DocuSigned by:

75E43E7F402846F...

A Commissioner for Taking Affidavits
Bevin E. Shores
LSO No. 56161F

Communications (CCW) <communication@citywindsor.ca>
February 16, 2022 4:46 PM
Communications (CCW)
News Release - Ontario Superior Court Hearing Continues Friday



News Release

For Immediate Release
February 16, 2022

Ontario Superior Court Hearing Continues Friday

After hearings held on Thursday February 10 and Friday February 11, 2022 Chief Justice Morawetz of the Ontario Superior Court of Justice granted an injunction to restrain individuals from establishing a blockade, or in any way impeding access, to the Ambassador Bridge.

Effective 7:00 pm on Friday, February 11, 2022, any persons having notice of the Order granting the injunction are restrained and enjoined from impeding or blocking access to the Ambassador Bridge and indirect or direct approaching roadways and access points for ten (10) days.

As provided in the Chief Justice Morawetz' Order, **the hearing of a motion to continue the injunction Order will be held** before the Court in Windsor by videoconference on **February 18, 2022 at 10:00 am**.

People remain at liberty to engage in a peaceful, lawful and safe protest that does not impede or block access to the Ambassador Bridge and approaching roadways. The terms of the Order and any applicable law must be complied with.

The link to view and download Motion materials is found at:

<https://mctaguelaw-my.sharepoint.com/:f:/p/onedrive/EsCxY3Po1BIPhai1IR9ZUAUBBUVXTjeOcTRdz60f39-hDg?e=lz9ox0>

The link to view and download the injunction Order is found at: https://mctaguelaw-my.sharepoint.com/:f:/p/onedrive/ErIE2slc0HBIh9_tODsToxoBq-UH0sBsvyOFMu7fqlv0WQ?e=qZt6Na

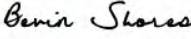
The hearing on Friday 18, 2022, may be viewed, commencing at 10:00 am, at the following Zoom link: <https://ca01web.zoom.us/j/68810320796?pwd=VmxNzE2UWRub2krM2M2em55Ym1pQT09/>

Media Contacts:

Andrew Teliszewsky
Chief of Staff
Mayor's Office
(519) 990-3035

Jason Moore
Senior Manager of Communications
and Customer Service
(519) 551-9011

This is Exhibit "D" referred to in the
Second Supplemental Affidavit of
JASON WARD REYNAR
Before me, ^t day of February, 2022

DocuSigned by:

75E43E7F402846F...

A Commissioner for Taking Affidavits
Bevin E. Shores
LSO No. 56161F

February 14, 10:25 am

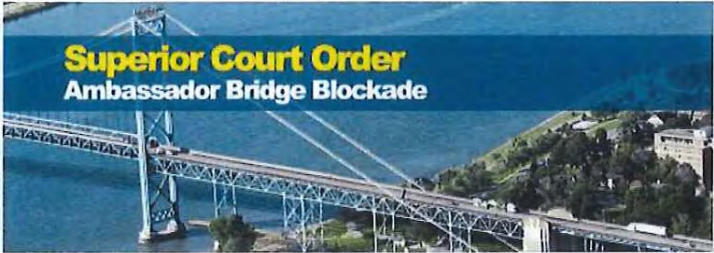
33,760 People reached

1,829 Engagements


City of Windsor - Municipal Government

Published by Hootsuite · February 14 at 10:25 AM ·

Reminder: By order of the Superior Court, blocking access to the Ambassador Bridge is not permitted. Learn more here: <http://ow.ly/jg1y50HUsHn> #YQG #YQGTraffic



33,760

1,829

-

Boost post

People reached

Engagements

Distribution score

 133

142 Comments 15 Shares

February 15, 8:48 am

34,368 People reached

1,661 Engagements


City of Windsor - Municipal Government

Published by Hootsuite · Yesterday at 8:48 AM ·

Reminder: By order of the Superior Court, blocking access to the Ambassador Bridge is not permitted. Learn more here: <http://ow.ly/jg1y50HUsHn> #YQG #YQGTraffic



34,368

1,661

-

Boost post

People reached

Engagements

Distribution score

 100

68 Comments 10 Shares

February 16, 11:00 am – as at 1:47pm

1,843 People reached

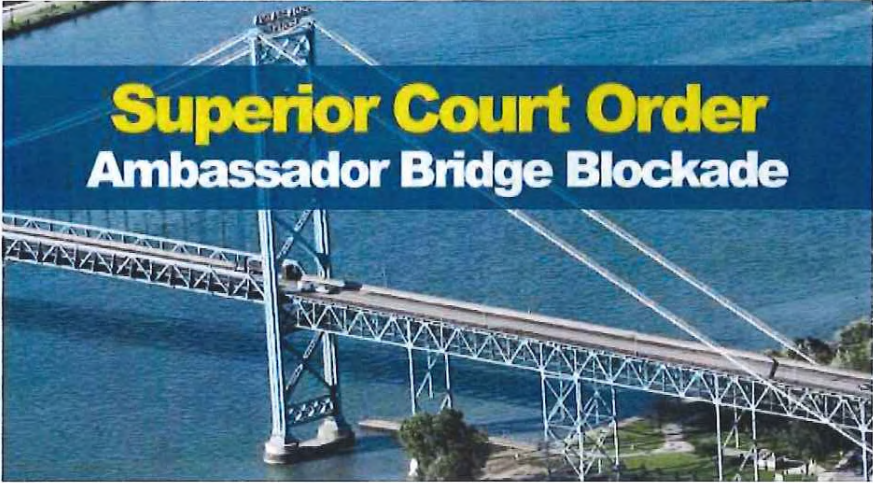
163 Engagements



City of Windsor - Municipal Government

Published by Hootsuite · 2 hrs ·

Reminder: By order of the Superior Court, blocking access to the Ambassador Bridge is not permitted. Learn more here:
<http://ow.ly/jg1y50HUsHn> #YQG #YQGTraffic



1,843

People reached

163

Engagements

-

Distribution score

Boost post



22

9 Comments

1 Share

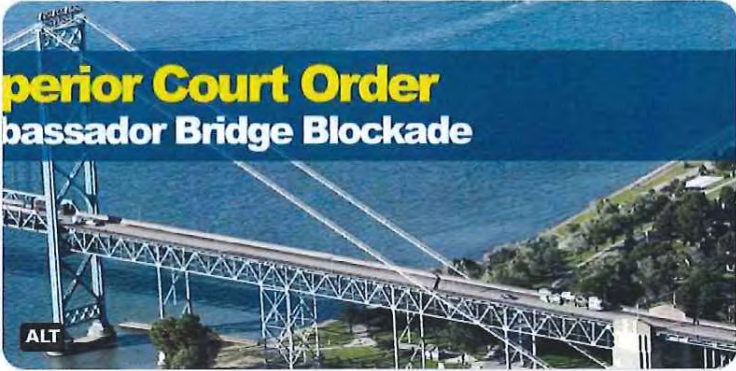
February 14, 10:25 am
1,486 Impressions
47 Engagements



City of Windsor

@CityWindsorON · Feb 14

Reminder: By order of the Superior Court, blocking access to the Ambassador Bridge is not permitted. Learn more here: ow.ly/jg1y50HUsHn
#YQG #YQGTraffic



ALT

1

6

8

February 15, 8:48 am
1,077 Impressions
41 Engagements



City of Windsor

@CityWindsorON · Feb 15

Reminder: By order of the Superior Court, blocking access to the Ambassador Bridge is not permitted. Learn more here: ow.ly/jg1y50HUsHn
#YQG #YQGTraffic



ALT

1

4

2

February 16, 11:00 am – as at 2:18 pm

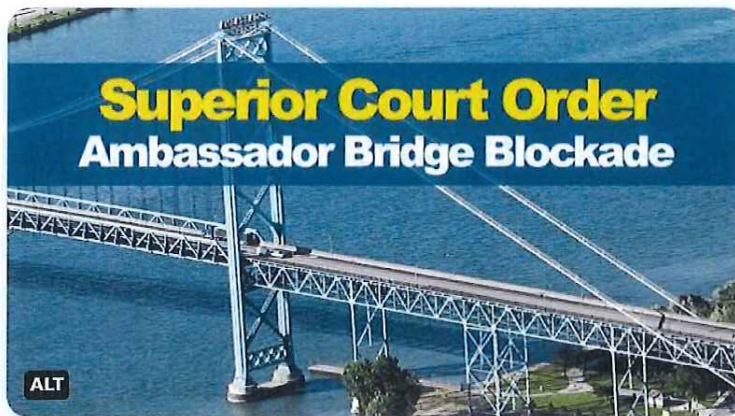
606 Impressions

15 Engagements



City of Windsor @CityWindsorON · 2h

Reminder: By order of the Superior Court, blocking access to the Ambassador Bridge is not permitted. Learn more here: ow.ly/jg1y50HUsHn
#YQG #YQGTraffic



1

3

2



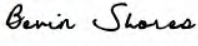
This is Exhibit "E" referred to in the
Second Supplemental Affidavit of
JASON WARD REYNAR
me, this 17 day of February, 2022

DocuSigned by:
Bevin Shores
75E43E7F402846F...

A Commissioner for Taking Affidavits
Bevin E. Shores
LSO No. 56161F

WINDSOR WINDSOR COMMUNITY DEVELOPMENT 10000 100th Ave, Suite 100 Windsor, CO 80558 Phone: (719) 833-1111 Fax: (719) 833-1112 Email: info@windsorcd.org Website: www.windsorcd.org	1. The undersigned hereby certifies that the information provided in this document is true and correct to the best of their knowledge and belief. 2. The undersigned hereby certifies that the information provided in this document is true and correct to the best of their knowledge and belief. 3. The undersigned hereby certifies that the information provided in this document is true and correct to the best of their knowledge and belief. 4. The undersigned hereby certifies that the information provided in this document is true and correct to the best of their knowledge and belief. 5. The undersigned hereby certifies that the information provided in this document is true and correct to the best of their knowledge and belief.	6. The undersigned hereby certifies that the information provided in this document is true and correct to the best of their knowledge and belief. 7. The undersigned hereby certifies that the information provided in this document is true and correct to the best of their knowledge and belief. 8. The undersigned hereby certifies that the information provided in this document is true and correct to the best of their knowledge and belief. 9. The undersigned hereby certifies that the information provided in this document is true and correct to the best of their knowledge and belief. 10. The undersigned hereby certifies that the information provided in this document is true and correct to the best of their knowledge and belief.	WINDSOR COMMUNITY DEVELOPMENT 10000 100th Ave, Suite 100 Windsor, CO 80558 Phone: (719) 833-1111 Fax: (719) 833-1112 Email: info@windsorcd.org Website: www.windsorcd.org Scan this QR code for more information 
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This is Exhibit "F" referred to in the
Second Supplemental Affidavit of
JASON WARD REYNAR
ore me, this 17 day of February, 2022

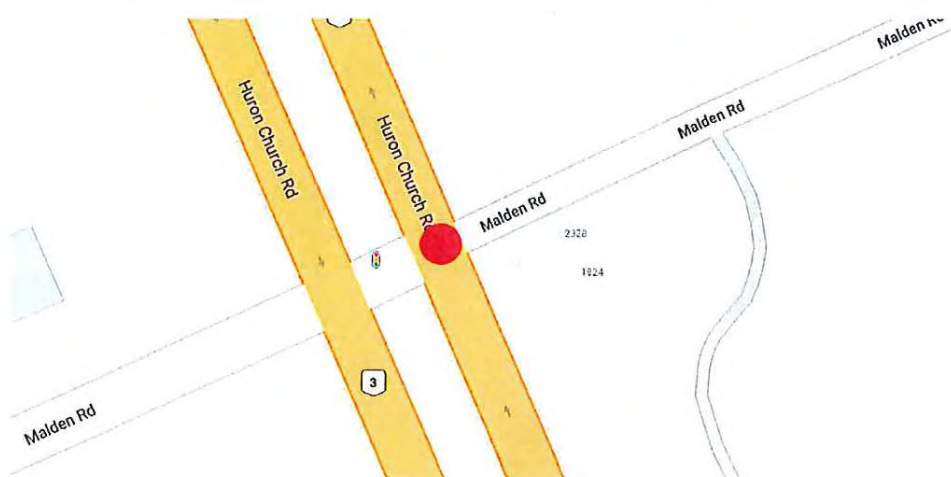
DocuSigned by:

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A Commissioner for Taking Affidavits
Bevin E. Shores
LSO No. 56161F

Huron Church Injunctions signs

Location: Huron Church at Malden East side

Date/Time Installed: Feb 15, 2022 @ 9:30am



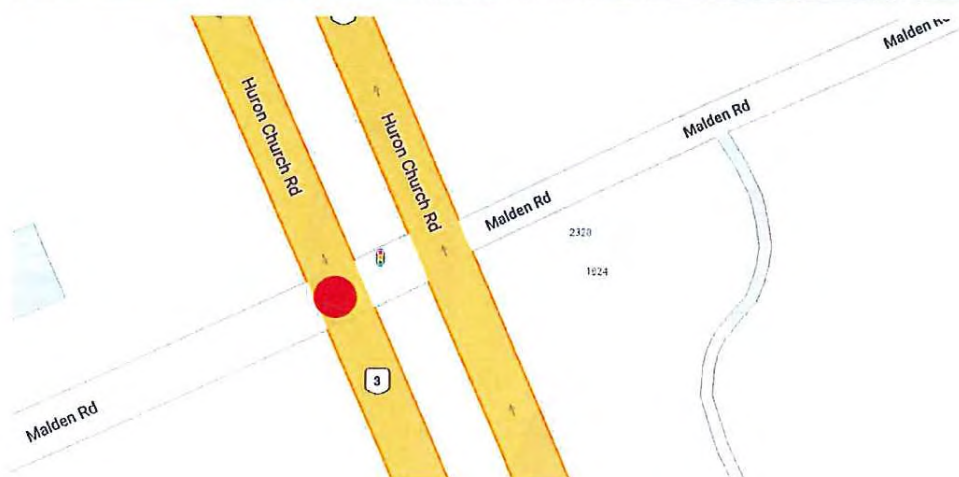
Authenticated by (Print): Roberto Peticca

Authenticated by (Signed) Roberto Peticca

Huron Church Injunctions signs

Location: Huron Church at Malden West side

Date/Time Installed: Feb 15, 2022 @ 11:45 am



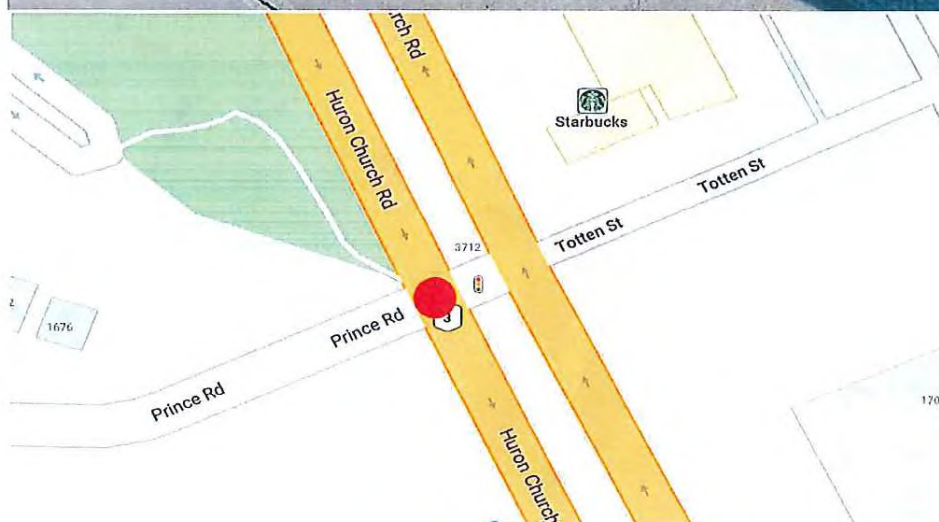
Authenticated by (Print): Roberto Peticca

Authenticated by (Signed) Roberto Peticca

Huron Church Injunctions signs

Location: Huron Church at Prince Rd. West side

Date/Time Installed: Feb 15, 2022 @ 11:30am



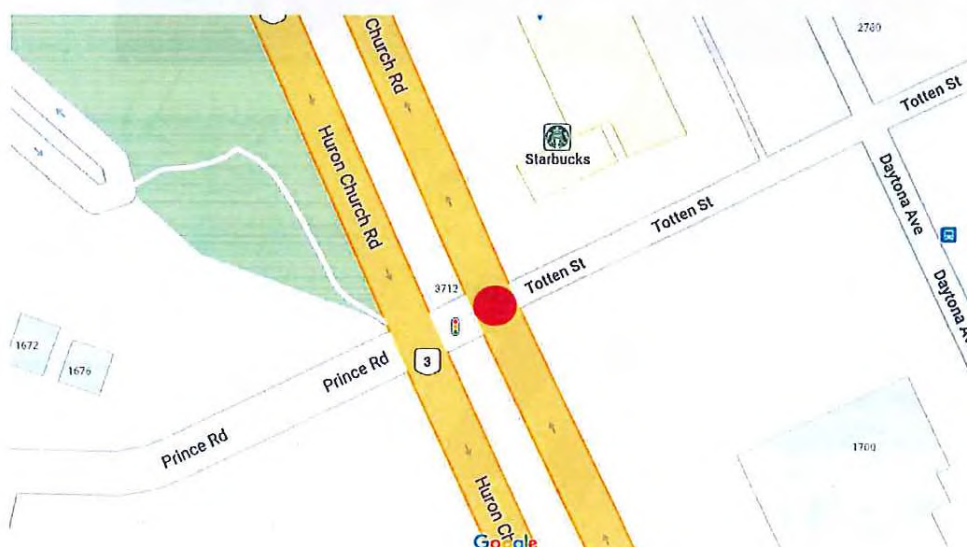
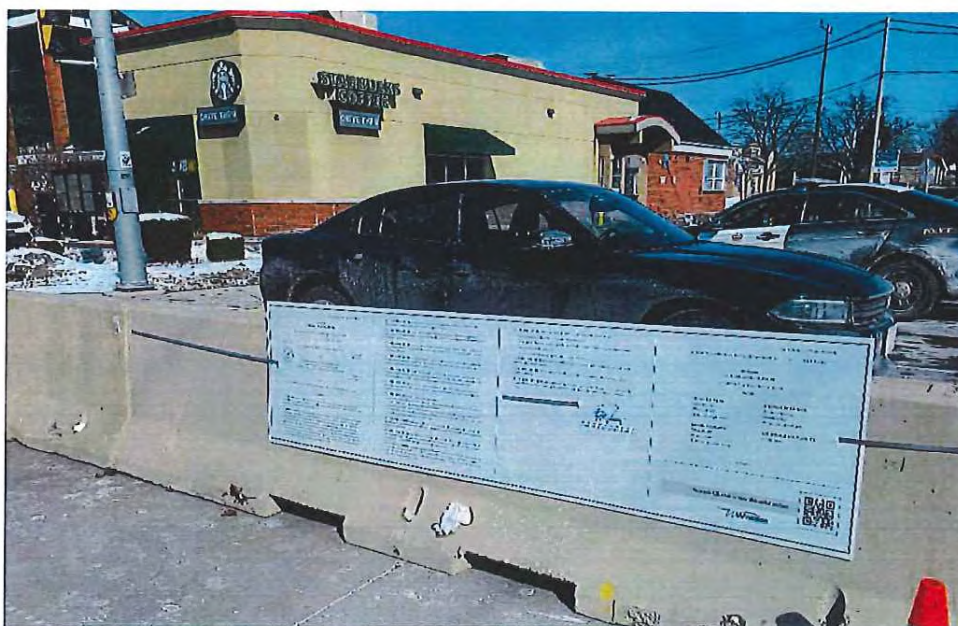
Authenticated by (Print): Roberto Peticca

Authenticated by (Signed) Roberto Peticca

Huron Church Injunctions signs

Location: Huron Church at Totten East side

Date/Time Installed: Feb 15, 2022 @ 10:11am



Authenticated by (Print): Roberto Peticca

Authenticated by (Signed) Roberto Peticca

Huron Church Injunction signs

Location: Huron Church at Dorchester West side

Date/Time Installed: Feb 15, 2022 @ 11:10 am



Authenticated by (Print): Roberto Peticca

Authenticated by (Signed) Roberto Peticca

Huron Church Injunctions signs

Location: Huron Church at Huron Church Plaza / Dorchester East side

Date/Time Installed: Feb 15, 2022 @ 12:20 pm



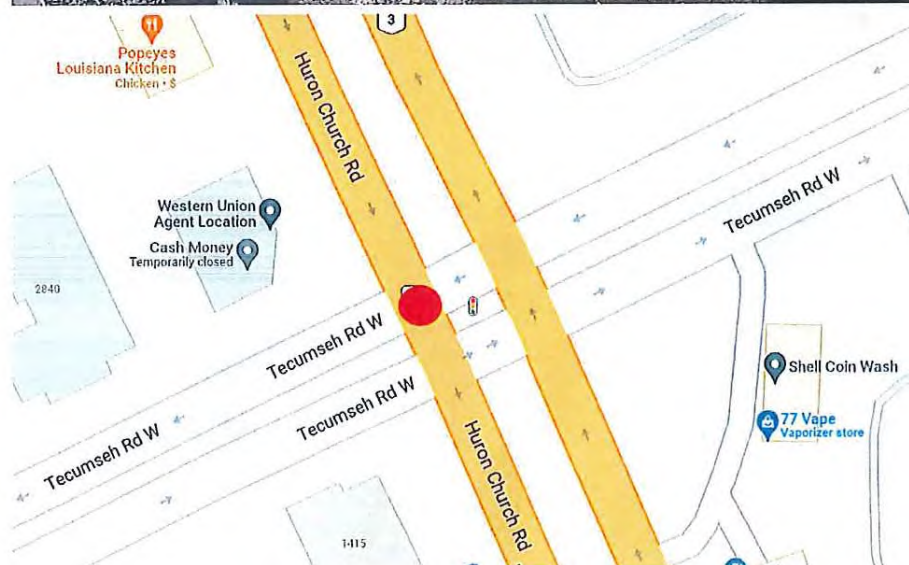
Authenticated by (Print): Roberto Peticca

Authenticated by (Signed) Roberto Peticca

Huron Church Injections signs

Location: Huron Church at Tecumseh Rd W. West side

Date/Time Installed: Feb 15, 2022 @ 10:55 am



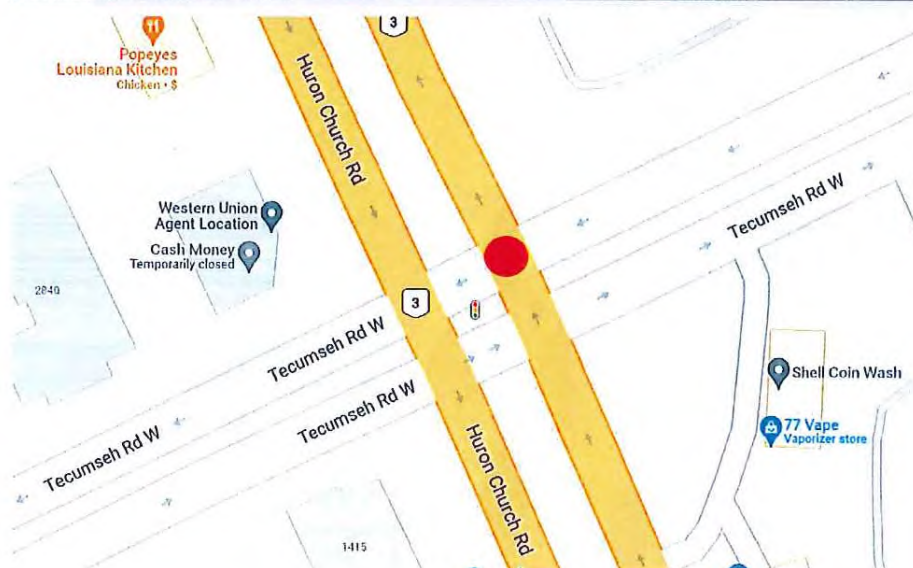
Authenticated by (Print): Roberto Peticca

Authenticated by (Signed) Roberto Peticca

Huron Church Injections signs

Location: Huron Church at Tecumseh Rd W. East side

Date/Time Installed: Feb 15, 2022 @ 10:30 am



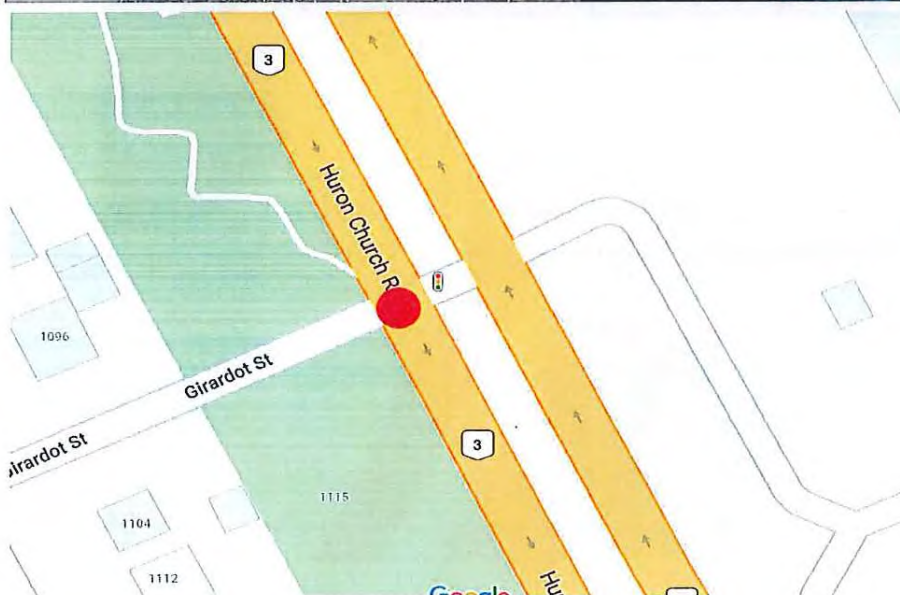
Authenticated by (Print): Roberto Peticca

Authenticated by (Signed) Roberto Peticca

Huron Church Injections signs

Location: Huron Church at Girardot St. West side

Date/Time Installed: Feb 15, 2022 @ 10:45 am



Authenticated by (Print): Roberto Peticca

Authenticated by (Signed) Roberto Peticca

Huron Church Injunctions signs

Location: Huron Church at Millen St. West side

Date/Time Installed: Feb 15, 2022 @ 10:30 am



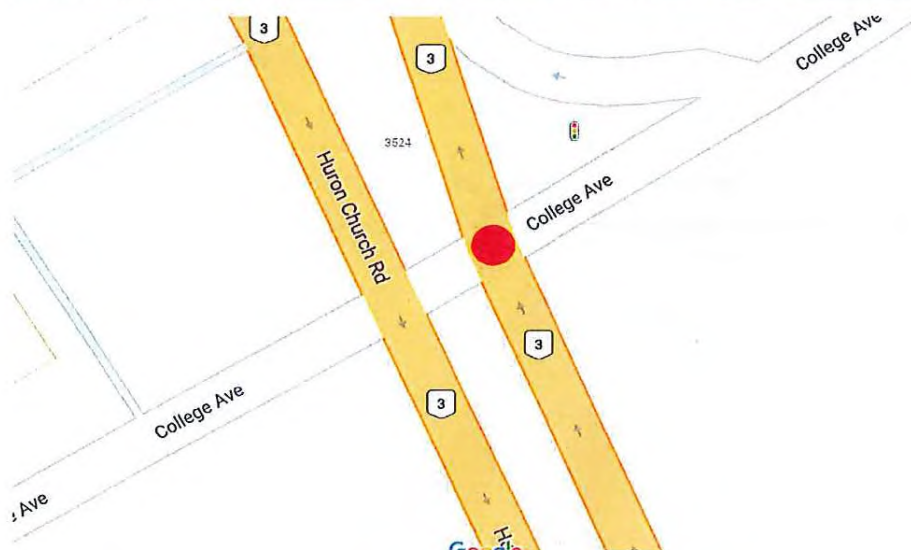
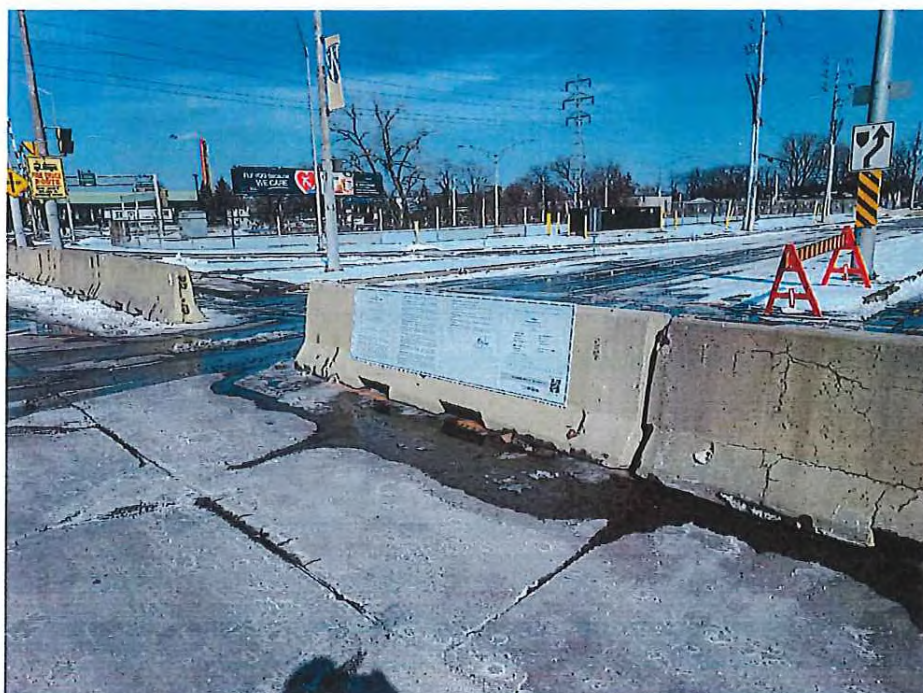
Authenticated by (Print): Roberto Peticca

Authenticated by (Signed) Roberto Peticca

Huron Church Injunctions signs

Location: Huron Church at College Ave. East side

Date/Time Installed: Feb 15, 2022 @ 10:50 am



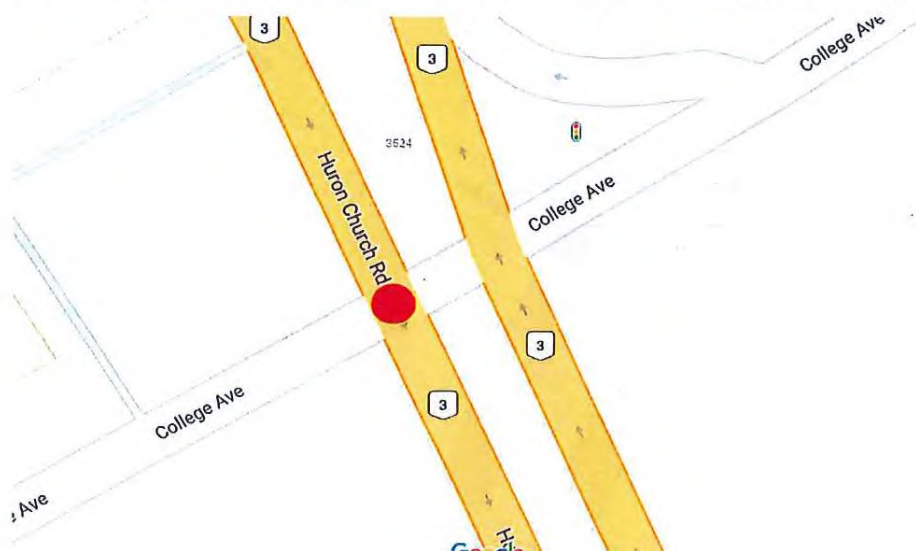
Authenticated by (Print): Roberto Peticca

Authenticated by (Signed) Roberto Peticca

Huron Church Injunctions signs

Location: Huron Church at College Ave. West side

Date/Time Installed: Feb 15, 2022 @ 10:00 am



Authenticated by (Print): Roberto Peticca

Authenticated by (Signed) Roberto Peticca

This is Exhibit "G" referred to in the
Second Supplemental Affidavit of
JASON WARD REYNAR
Before me, this 17 day of February, 2022

DocuSigned by:
Bevin Shores
75E43E7F402846F...

A Commissioner for Taking Affidavits
Bevin E. Shores
LSO No. 56161F

Court File No.: CV-22-00030791-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

CHIEF JUSTICE GEOFFREY B. MORAWETZ

) FRIDAY, THE 11TH DAY
)
) OF FEBRUARY, 2022

BETWEEN:

AUTOMOTIVE PARTS
MANUFACTURERS' ASSOCIATION

Plaintiff/
Moving Party

- and -

JIM BOAK, JOANNE CALLAWAY,
HILDA FISHER, LORI INVERARITY,
LEO LUCIO, GIL PONTE,
MANBAE SINGH-GALL DARLENE
THOMPSON and JOHN DOE

Defendants/
Responding Parties

- and -

THE CORPORATION OF
THE CITY OF WINDSOR,
ATTORNEY GENERAL FOR ONTARIO

Interveners



ORDER

THIS MOTION, made by the Plaintiff for an interim interlocutory injunction pursuant to section 101 of the Courts of Justice Act, Rule 40.01 of the Rules of Civil Procedure, and section 440 of the Municipal Act, 2001, was heard at Windsor on February 11, 2022 by videoconference.

UPON READING the Affidavits contained within the Motion Record of the Plaintiff dated February 10, 2022, the Supplementary Motion Record of the Plaintiff dated February 11, 2022, and the Motion Record of The Corporation of the City of Windsor dated February 11, 2022, the Affidavit of Jason Bellaire sworn February 11, 2022, the Affidavit of Jason Ward Reynar sworn February 11, 2022, the Affidavit of Adam Blake-Gallipeau sworn February 11, 2022, and the Affidavit of Dr. Clifford Rosen sworn February 11, 2022, and upon hearing oral arguments of counsel for the Automotive Parts Manufacturers' Association, The Corporation of the City of Windsor, the Attorney General of Ontario, The Democracy Fund, John Doe, and with Kristian Langenfield making oral arguments on behalf of himself, with no one attending for the Defendants or any other any person having an interest in this matter, although duly served in accordance with the Endorsement of this Court dated February 11, 2022.

1. **THIS COURT ORDERS** that the time for service, filing and confirmation of the Notice of Motion and the Motion Record is hereby abridged so that this Motion is properly returnable today.

2. **THIS COURT ORDERS** that the Plaintiff is authorized to bring this Motion and the underlying proposed proceeding on behalf of all members of the Automotive Parts Manufacturers' Association pursuant to Rule 10.01(1)(f) of the Rules of Civil Procedure.

3. **THIS COURT ORDERS** that an interim interlocutory injunction is granted, effective February 11, 2022, at 7:00 PM, pursuant to section 101 of the Courts of Justice Act, Rule 40.01 of the Rules of Civil Procedure and section 440 of the Municipal Act, 2001.

4. **THIS COURT ORDERS** that the Defendants and any persons having notice of this Order are hereby restrained and enjoined from impeding or blocking access to the Ambassador Bridge and indirect or direct approaching roadways and access points for ten (10) days from the date of this Order.

5. **THIS COURT ORDERS** that any police officer with the Windsor Police Service, the Ontario Provincial Police, and any other police authority to arrest and remove any person who has knowledge of this Order and who the Police have reasonable and probable grounds to believe is contravening or has contravened any provision of this Order.

6. **THIS COURT ORDERS** that the Police or designated agents shall have authorization to remove any vehicles, personal property, equipment, structures, or other objects that impede or block access to the Ambassador Bridge and approaching roadways.

7. **THIS COURT ORDERS** that the Police shall retain discretion:

- a. as to the timing and manner of enforcement of this Order, and specifically retained discretion as to the timing and manner of arrest and removal of any person pursuant to this Order;
- b. to detain and release any person without arrest who the Police have reasonable and probable grounds to believe is contravening, or has contravened, any provision of this Order, upon that person agreeing to abide by this Order; and
- c. and to lay any charges or take any other lawful action.

8. **THIS COURT ORDERS** that any peace officer and any member of the Windsor Police, Windsor Constables and Windsor Fire Department who shall have authorization to release that person from arrest upon that person agreeing in writing to obey this Order.

9. **THIS COURT ORDERS** that no Detention and other persons, except as otherwise engaged in a peaceful lawful and legitimate activity, shall obstruct or block access to the Ambassador Bridge and surrounding roadway, nor grant permission to others to do so, and any applicable criminal law shall apply.

10. **THIS COURT ORDERS** that a copy of this Order shall be given to the Director of A.D.I. and the Windsor and Detroit and Metropolitan Police Departments, the Corporation of the City of Windsor and the Attorney General of Ontario, among other persons, and the City of Windsor and the Corporation of the City of Windsor shall be responsible for ensuring that the Order is given to the Director of A.D.I. and the Windsor and Metropolitan Police Departments.

11. **THIS COURT ORDERS** that copies of this Order shall be given in the following manner:

- (a) by posting a copy of this Order on the main door of the Windsor Police;
- (b) by giving a copy of this Order to any person, including but not limited to, the Director of A.D.I. and the Windsor and Metropolitan Police Departments;
- (c) by giving a copy of this Order to the Windsor and Metropolitan Police Departments;
- (d) and by giving a copy of this Order to the Windsor and Metropolitan Police Departments.

12. **THIS COURT ORDERS** that the Order shall not apply to persons except in the context of the exercise of a statutory power or authority.

13. **THIS COURT ORDERS** that any act or omission shall be null and void, subject to the Order, if it is in violation of the Order.

14. **THIS COURT ORDERS** that the parties and any person having an interest in the matter shall appear before the Court in Windsor by videoconference on February 18, 2022 at 10:00 am for the hearing of a motion to rescind this Order.

CHIEF JUSTICE GREGORY R. KIRBY WETZ

Court File No. CV22-00020791-0000

AUTOMOTIVE PARTS
MANUFACTURERS' ASSOCIATION

FILE NO. 22-00020791-0000

UNIFORM
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT WINDSOR

ORDER

MICHAEL A. WILLS
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(709) 443-4123
(a) mwills@mactelecom.com

DARWINE HANASYM
180-612294
(709) 443-4123
(a) dhansym@mactelecom.com

METACAT LAW FIRM LLP
Lawyers & Solicitors
433 Pelissier Street
Windsor, Ontario N9A 6E2

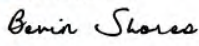
LAWYERS FOR THE PLAINTIFF
Ct. File: 80635

[21792221]

WINDSOR

WINDSOR

This is Exhibit "H" referred to in the
Second Supplemental Affidavit of
JASON WARD REYNAR
Before me, this 17 day of February, 2022

DocuSigned by:

75E43E7F402846F...

A Commissioner for Taking Affidavits
Bevin E. Shores
LSO No. 56161F

B I L L
No. 213
1987

BY - LAW NUMBER 9023

**A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN
THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL
STREETS, MUNICIPAL PARKING LOTS AND PRIVATE
PROPERTIES**

Passed the 8th day of June, 1987

WHEREAS pursuant to the provisions of subsection 208//55 of The Municipal Act, R.S.O. 1980, Chapter 302, councils of all municipalities are empowered to pass by-laws for acquiring and laying out lands and buildings where vehicles may be parked, and for regulating and governing the parking of vehicles thereon;

AND WHEREAS pursuant to the provisions of subsection 315//8 of the said Municipal Act the councils of all municipalities are empowered to pass by-laws for erecting and operating on any highway or portion of a highway parking meters;

AND WHEREAS subsection 210//150 of the said Municipal Act authorizes the Council of municipalities to pass by-laws designating parking spaces for persons with disabilities and to prohibit the use of such spaces by other vehicles; (~~deleted & replaced – B/L 210-2008, Dec.1/08~~)

AND WHEREAS pursuant to the provisions of subsection 210//118 and 119 of the said Municipal Act, the Council of local municipalities may pass by-laws for allowing the parking of motor vehicles on designated parts of highways for specified periods pursuant to permits issued, for charging such fee as the Council may determine and for exempting pursuant to permits issued the owners and drivers of vehicles operated by or carrying person(s) with disabilities; (~~deleted & replaced – B/L 210-2008, Dec.1/08~~)

AND WHEREAS subsection 210//125 of the said Municipal Act authorizes the Councils of local municipalities to pass by-laws prohibiting the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property, and on property owned or occupied by the municipality without the consent of the municipality;

AND WHEREAS the Council of The Corporation of the City of Windsor may pass by-laws pursuant to the provisions of Section 1 of The City of Windsor Act, 1974, S.O. 1974, Chapter 168, for regulating and designating fire routes in the City of Windsor;

NOW THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

PART I**INTERPRETATION**

1. In this by-law -
"Administrative Penalty" means an administrative penalty established by this By law
(ADDED B/L 112-2013 JULY 8/13)
- (1) **"Accessible Parking"** means parking, which is designated by signage, for persons with disabilities who are in possession of a valid Ontario Accessible Parking Permit; **(added B/L 210-2008, Dec.1/08)**
- (1A) **"Building"** means a building as defined in The Building Code Act, S.O. 1992, c.23 as amended by S.O. 1997, c.21¹ and S.O. 1997, c.30, Schedule B², and includes such other structures as are designated in the Building Code, but does not include a building located in such close proximity to a public highway that complete emergency and fire protection can be provided for the building and its occupants and contents while the emergency and Fire Department vehicles stand on such public highway;
- (la) ~~**"Boulevard"** means that portion of every right of way within the limits of the City of Windsor which does not form part of the paved highway, sidewalk, driveway, or shoulder, and without taking away from the generality of the foregoing shall include any part or any ornamental median strip of the highway. **(added B/L 9142, September 21, 1987; amended B/L 9381, May 9, 1988)(deleted B/L 82-2010 May 17, 2010)**~~
- (1a) **"Boulevard"** means all parts of the highway save and except any roadway, shoulder, driveway or sidewalk. **(Replaced B/L 82-2010 May 17, 2010).**
- 1.1. **"Bicycle"** includes a tricycle, a unicycle but does not include a motor-assisted bicycle or a Power-assisted bicycle. **(ADDED B/L 162-2013 OCT 21/13)**
- 1.2 **"Bicycle Lane"** shall mean a dedicated portion of a roadway for bicycle use, which is designated by lane marking separating the portion of roadway used by motor vehicles from the portion used by bicycles and power assisted bicycles. **(ADDED B/L 162-2013 OCT 21/13)**
- (2) **"Building Inspector"** means the Chief Building Official;
- (3) **"Bus Stop"** means a space marked by a sign indicating such space to be for the sole use of buses in taking on or unloading passengers;
- (4) **" Chief Building Official "** means the Executive Director of Development Processing Services;
- (5) **"Chief of Police"** means the Chief of Police of the Corporation or his authorized subordinates;
"City" means the Corporation of the City of Windsor **(ADDED B/L 112-2013 JULY 8/13)**
- (6) **"Commercial Motor Vehicle"** means any motor vehicle having permanently attached thereto a truck or delivery body, and includes ambulances, hearses, casket wagons, fire apparatus, police patrols, motor buses, and tractors used for hauling purposes on the highway and any vehicle bearing commercial license plates;
- (6A) **" Executive Director of Operations"** means the Executive Director of Operations or designated subordinate; **(inserted B/L 11573, Sept.20/93)(deleted & added, B/L 7-2006, Jan.30/06)**
- (7) **"Control Gate"** shall mean an automatically operated gate device used for the purpose of controlling and regulating the parking of any vehicle on a municipal parking lot;
- (8) **"Corporation"** shall mean The Corporation of the City of Windsor;
- (9) **"Council"** shall mean the Council of the Corporation;

- (9a) **"Crosswalk"** means any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface. **(added B/L 9142, September 21, 1987)**
- (10) ~~**"Cul-de-sac"** shall mean that part of a highway open at one end only, with special provisions for turning around by a vehicle;~~**(DELETED B/L 94-2013 JUNE 17/13)**
- "Cul de sac"** shall mean that part of a highway open at one end only and which part is used for turning manoeuvrability and which exceeds the standard width of the highway **(ADDED B/L 94-2013 JUNE 17/13)**
- (11) **"Curb"** shall include the edge of the travelled portion of any highway;
- (12) **"Designated Fire Route"** means a fire route designated as provided by this by-law and listed in Schedule "DD" hereto annexed, as amended;
- (13) **"Designated Accessible Parking Space"** means a parking space designated under this by-law for the exclusive use of a vehicle displaying a permit in accordance with the requirements of the Highway Traffic Act, the regulations thereto, and this by-law. **(inserted B/L 10868, Dec.9/91) (amended B/L 210-2008, Dec.1/08)**
- (14) **"Double Park"** means to park or stand a vehicle on the same side of the highway along side of and parallel to, or nearly parallel to another vehicle already parked or standing at the curb of such highway except in obedience to traffic regulations, signs or signals. **(inserted B/L 11338, Feb.15/93)**
- (14A) **"Driveway" or "Driveway Access"** means the portion of a street which is improved to permit the passage of vehicles between the adjacent roadway and the abutting property. **(added B/L 132-2009, August 24, 2009)**
- (15) **"Chief Fire Official"** means the Chief of the Fire Department of the Corporation, or his authorized subordinates;
- "Fees and Charges By-law"** means the City's By-law 392-2002 as amended from time to time **(ADDED B/L 112-2013 JULY 8/13)**
- "Fee – Hearing No Show"** means an administrative fee from time to time established by the Fees and Charges By-law in respect of a Person's failure appear at the time and place scheduled for a hearing before a Hearing Officer **(ADDED B/L 112-2013 JULY 8/13)**
- "Fee – Late Payment"** means an administrative fee from time to time established by the Fees and Charges By-law in respect of a Person's failure to pay an Administrative Penalty by the date on which it is due and payable **(ADDED B/L 112-2013 JULY 8/13)**
- "Fee – MTO Plate Denial"** means an administrative fee from time t time established by the Fees and Charges By law for notifying the Registrar of Motor Vehicles for the purpose of plate permit denial **(ADDED B/L 112-2013 JULY 8/13)**
- "Fee – MTO Search"** means an administrative fee from time to time established by the Fees and Charges By law for searching the records of the Ontario Ministry of Transportation **(ADDED B/L 112-2013 JULY 8/13)**
- "Fee – Screening – No Show"** means an administrative fee from time to time established by the Fees and Charges By law in respect of a Person's failure to appear at the time and place scheduled for a review by a Screening Officer **(ADDED B/L 112-2013 JULY 8/13)**
- (16) **"Fire Department"** means the Fire Department of the Corporation;
- (17) **"Fire Route"** means any road, lane, ramp or other means of vehicular access to or egress from a building or structure and it may include part of a parking lot;
- (17A) **"Front Lot Line"** means the shortest exterior lot line **(ADDED B/L 182-2016 DEC 12/16)**

- (17B) **"Front Yard"** means a yard extending across the full width of a lot between the front lot line and the nearest wall of a main building on such lot. (ADDED B/L 182-2016 DEC 12/16)
- (18) **"Registered Gross Weight"** shall mean the gross weight of the vehicle that is registered on the vehicle ownership. (substituted B/L 9142, September 21, 1987)
- (18A) **"Gross Vehicle Weight Rating"** shall mean gross weight of the vehicle that is listed on the manufacturers sticker adhered to a vehicle's door or body. (added B/L 57-2009, March 30/09)
- "Hearing Officer"** means hearing officer from time to time appointed pursuant to the City's Screening and Hearing Officer By-law 80-2013 as amended from time to time (ADDED B/L 112-2013 JULY 8/13)
- "Hearing Officer Appeal Form"** means the form to be completed and delivered to the City when requesting a review by a Hearing Officer, or requesting an extension of time to request a review by a Hearing Officer. The Hearing Officer Review Form is available on the City's website www.citywindsor.ca and at Administrative Penalties, Parking Enforcement Office, 1266 McDougall Avenue, Windsor, Ontario N8X 3M7
- (19) **"Highway"** includes a common and public highway, street, avenue, parkway, driveway, square, place, alley, bridge, viaduct or trestle designed and intended for or used by the general public for the passage of vehicles;
- (19A) **"Holidays"** means Statutory Holidays including: New Years Day, Good Friday, Easter Monday, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day, or any other day designated as such by the Council of the Corporation. (added B/L 11550, Aug. 16/93)
- (20) **"Intersection"** shall mean the area embraced within the prolongation or connection of the lateral curb lines or if none, then the lateral boundary lines of two or more highways which join one another at an angle, whether or not one highway crosses the other;
- (21) **"Loading Zone"** shall mean an area or place on a highway established by authority of this by-law for accommodation of commercial vehicles and the loading and unloading of goods, wares, merchandise or passengers;
- (21A) **"Lot"** means a contiguous parcel of land under one ownership, the boundaries of which are on record in the Land Registry Office of the County of Essex (No. 12) in the Registry or Land Titles Division (ADDED B/L 182-2016 DEC 12/16)
- (21B) **"Lot Line"** means the boundary of a lot (ADDED B/L 182-2016 DEC 12/16)
- ~~**"Manager of Traffic Operations"** means the person who holds the position of Manager of Traffic Operations for the City (ADDED B/L 112-2013 JULY 8/13)(DELETED B/L 126-2016 AUG 22/16)~~
- "Senior Manager of Traffic Operations, Parking and Transportation Planning"** means the person who holds the position of Senior Manager of Traffic Operations, Parking and Transportation Planning for the City (ADDED B/L 126-2016 AUG 22/16)
- (21A) **"Median" or "Median Island"** shall mean a raised curb protected area of the roadway not meant for vehicular travel, separating direction of vehicle travel and or preventing undesirable turning movements. Median islands shall include splitter islands on the approaches of roundabouts. (added B/L 82-1010 May 17, 2010)
- (21B) **"Motor Assisted Bicycle"** shall mean a motor assisted bicycle as defined by The Highway Traffic Act, R.S.O. 1990, cH-8 amended (ADDED B/L 162-2013 OCT 21/13)
- (22) **"Motorcycle"** means a self-propelled vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three (3) wheels in contact with the ground, and including a bicycle with a motor attached and a motor scooter;

- (23) **"Motor Vehicle"** includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, motor assisted bicycle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of The Highway Traffic Act;
- (23A) **"Multi-use Recreational Trail"** shall mean a path physically separated Motor Vehicle traffic by an open space or barrier located on public property, which accommodates two way non motorized travellers including Bicyclists and Pedestrians (**ADDED B/L 26-2017 FEB 6/17**)
- (23B) **"Multi-use Recreational Trail Crossing Location"** shall mean a location where a Multi-Use Recreational Trail enters and/or crosses a Highway (**ADDED B/L 26-2017 FEB 6/17**)
- (24) **"Municipal Parking Lot"** shall mean a parking lot owned and operated on behalf of the Corporation, and shall include a Parking Garage established under the provisions of this by-law;
- (25) **"Occupant"**, when used in relation to property, shall mean,
- (a) the tenant of the property or part thereof whose consent shall extend only to the control the land of which he is tenant and any parking spaces allotted to him under his lease or tenancy agreement,
 - (b) the spouse of a tenant,
 - (c) a person or the Corporation, or a local board thereof, having an interest in the property under an easement or right-of-way granted to or expropriated by the person, municipality or local board whose consent shall extend only to the part of the property that is subject to the easement or right-of-way,
 - (d) a person authorized in writing by an occupant as defined in clause (a), (b) or (c) to act on the occupant's behalf for requesting the enforcement of this by-law.
- "Officer"** includes members of Windsor Police Services, Provincial Offences Officers of the City of Windsor and any other person authorized by the City to enforce this by law (**ADDED B/L 112-2013 JULY 8/13**)
- (26) **"Operator"** shall mean any person who operates or who is in charge of a vehicle upon a highway;
- (27) **"Owner"**, when used in relation to property, means
- (a) the registered owner of the property,
 - (b) the registered owner of a condominium unit, whose consent shall extend only to the control of the unit of which he is owner and any parking spaces allotted to him by the condominium corporation or reserved for his exclusive use in the declaration or description of the property,
 - (c) the spouse of a person described in clause (a) or (b),
 - (d) where the property is included in a description registered under the Condominium Act, the board of directors of the condominium corporation, or
 - (e) a person authorized in writing by the property owner as defined in clause (a), (b), (c) or (d) to act on the owner's behalf for requesting the enforcement of this by-law;
- (28) **"Parked, Park or Parking"** shall mean to allow a vehicle to remain stationary on a street except in obedience to traffic regulations, signs, or signals, or for a longer period of time than is actually required for the purpose of taking on or discharging passengers, or loading or unloading of merchandise;

- (29) **"Parking Lot"** means a parking area to which the public has access whether on payment of a fee or otherwise;
- (30) **"Parking Meter"** means an automatic or other mechanical device used for the purpose of controlling and regulating the parking any vehicle in a parking space, and measuring and recording the duration of such parking, and includes a **"Pay and Display Machine"** in which a ticket is issued allowing a period for parking and which ticket must be displayed on the right-hand side of the front windshield of the parked vehicle;
- (31) **"Parking Space"** means a portion of a Highway or a municipal or private Parking Lot that is designated for the parking of a vehicle;
- (32) **"Pedestrian"** shall mean a person travelling on foot and includes a person in a wheelchair and a child in baby carriage;
- "Penalty Notice"** means a notice given pursuant to sections 81 and 82 (**ADDED B/L 112-2013 JULY 8/13**)
- "Penalty Notice Date"** means the date specified on the Penalty Notice pursuant to section 82 (**ADDED B/L 112-2013 JULY 8/13**)
- "Penalty Notice Number"** means the number specified on the Penalty Notice pursuant to section 82 (**ADDED B/L 112-2013 JULY 8/13**)
- (33) **"Permit for Accessible Parking"** means a disabled person parking permit issued under the Highway Traffic Act or a permit, number plate or other marker or device issued by another jurisdiction and recognized under that Act. (**inserted B/L 10868, Dec. 9/91**)(**amended B/L 210-2008, Dec.1/08**)
- (33A) **"Power Assisted Bicycle (e-bike)"** shall mean a power assisted bicycle as defined by the Highway Traffic Act, R.S.O. 1990, cH-8 as amended (**ADDED B/L 162-2013 OCT 21/13**)
"Person" includes an individual, partnership, association, firm or corporation (**ADDED B/L 112-2013 JULY 8/13**)
- (34) ~~**"Provincial Offences Officer"** shall mean any employee of the Corporation who is duly appointed by the Council of the Corporation, for the purpose of enforcing the provisions of the Corporation's by-laws;~~ (**DELETED B/L 126-2016 AUG 22/16**)
- (34) **Provincial Offences Officer** shall mean an officer, employee or agent of the Corporation who is duly appointed by the Council of the Corporation, for the purpose of enforcing the provisions of the Corporation's by-laws (**ADDED B/L 126-2016 AUG 22/16**)
- (34a) **"Roadway"** means any part of the highway that is improved, designed or ordinarily used for vehicular traffic; (**added B/L 10798, Sept.23/91**)
1. S.O. 1997, c24 received Royal Assent on November 28, 1997
 2. S.O. 1997, c30 received Royal Assent on December 8, 1997
- (34B) **"Roundabout"** shall mean a form of intersection that accommodates counter clockwise traffic flow in a circular direction around a centre island. The exit way and entryway of roundabouts are separated by a median splitter island. (**Added B/L 82-2010 May 17, 2010**)
- "Screening Decision"** means a decision made by a Screening Officer pursuant to section 85 (**ADDED B/L 112-2013 JULY 8/13**)
- "Screening Decision Date"** means the date on which a Screening Decision is made pursuant to section 85 (**ADDED B/L 112-2013 JULY 8/13**)
- "Screening Officer"** means a person from time to time performing the functions of a Screening Officer pursuant to the Screening Officer and Hearing Officer By law 80-2013 as amended from time to time (**ADDED B/L 112-2013 JULY 8/13**)

"Screening Officer Review Form" means the form to be completed and delivered to the City when requesting a review by a Screening Officer, or requesting an extension of time to request a review by a Screening Officer. The Screening Officer Review form is available on the City's website www.citywindsor.ca and at Administrative Penalties, Parking Enforcement Office, 1266 McDougall Avenue, Windsor, Ontario N8X 3M7

- (35) **"Service Road"** means a road that,
- (i) provides private access to a building, or parking area, and
 - (ii) is located on the property of the owner;
- (35A) **"Set Fine"** means the fine for parking infractions pursuant to the Provincial Offences Act Part II as set by the Chief Judge of the Province of Ontario. **(added B/L 9143, Sept. 21/87)**
- ~~(35A) **"Shoulder"** means that a portion of the highway lying adjacent to the roadway where there is no barrier curb, and which is improved or maintained to support a stop vehicle. **(Added B/L 82-2010 May 17, 2010) Deleted B/L 122-2010 July 26/10**~~
- (35A) **"Shoulder"** means that a portion of the highway lying adjacent to the roadway where there is no barrier curb, and which is improved or maintained to support a stopped vehicle, for emergency use and for lateral support. **(Added B/L 122-2010 July 26/10)**
- (36) **"Sign, authorized"** means any sign or roadway, curb or sidewalk marking or other device placed or erected on a fire route under the authority of this by-law for the purpose of regulating, warning or guiding traffic;
- (36a) **"Stand or Standing when prohibited"** means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers. **(added B/L 9143, Sept. 21/87)**
- (36) A **"Signed Location"** means a portion of a highway between appropriate signage that is designated for the parking of a vehicle **(ADDED B/L 113-2017 JULY 17/17)**
- (36b) **"State of Abandonment"** means state of ill repair, unroadworthy, without licence plates, with illegal licence plates, stolen or deserted; **(added B/L 11976, Oct. 3/94)**
- (37) **"Stop or Stopping"** shall mean a vehicle's complete cessation of movement;
- (37A) **"Taxicab"** means a vehicle as defined in the Highway Traffic Act used for hire for the conveyance of passengers and shall include a "horse-drawn carriage" and a "livery vehicle". **(added B/L 10410, Sept. 10/90)**
- (38) **"Taxicab Stand"** means the designated portion of a highway adjacent to the curb where a designated number of taxicabs may stand while waiting for fares or while loading or unloading passengers;
- (39) **"to"** shall mean including or comprehending when referring to the days of the week;
- (40) **"Traffic"** shall include pedestrians, ridden animals, vehicles and other conveyances either singly or together while using any highway for the purposes of travel;
- (41) **"Treasurer"** shall mean the Treasurer of the Corporation or his designated subordinate;
- (42) **"Traffic Control Device"** means any sign, or roadway, curb or sidewalk marking or other device erected or placed under the authority of the Council for the purpose of guiding or directing traffic;
- (42A) **"Traffic Circle"** shall mean a form of road intersection that accommodates counter clockwise traffic flow in a circular direction around a centre island. The exit way and entryway of roundabouts are not separated by a median splitter island. **(Added B/L 82-2010 May 17, 2010)**

- (43) **deleted B/L 11573, Sept. 20/93**
- (44) **"Vehicle"** includes a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but not including the cars of electric or steam railways running only upon rails;
- (44A) **"Yard"** means an open space, which is located on the same lot as a building or other structure, and is unoccupied and unobstructed from ground to sky except for any encroachments not prohibited by Zoning By law 8600 as amended (**ADDED B/L 182-2016 DEC 12/16**)
- (45) **"Zoning Requirements"** means the requirements set out in the Zoning By-laws of the Corporation, as amended, or any by-law enacted in substitution therefor.
- (46) **"Pedestrian Crossover"** means, any portion of a roadway, as designated by this by-law, at an intersection or elsewhere, distinctly indicated for pedestrian crossing by signs on the highway and lines or other markings on the surface of the roadway as prescribed by regulations passed pursuant to the Highway Traffic Act, R.S.O. 1980, Chapter 98, as amended from time to time. (**added B/L 10104, Jan.29/90**)
- (47) **"School Bus"** shall mean a bus that is painted chrome yellow, and displays on the front and rear thereof the words "school bus" and on the rear thereof the words "do not pass when signals flashing" (**ADDED BY-LAW 73-2017 MAY 8/17**)

PART II

GENERAL RULES

- 2. Where any expression of times occurs or any hour or other period of time is stated, the time referred to shall be standard time or daylight saving time, whichever shall be proclaimed to be in effect in the Municipality.
- 3. That By law 9023 as amended be further amended by adding Schedule "A" attached hereto, as **SCHEDULE "W"** to By-law 9023 (**ADDED B/L 112-2013 JULY 8/13**)
- 4. That By law 9023 as amended be further amended by deleting sections 71, 73 and 74

OBEDIENCE TO POLICE OFFICERS

- 3. In the event of highway construction, repairs or maintenance, erection or placement of traffic control devices, or in the event of a fire or other emergency, or during a parade or other concourse of traffic, traffic may be directed by any police officer or by signs erected or placed at the direction of the Chief of Police as conditions require, and it shall be a violation of this by-law for any person to disobey or refuse to comply with the orders, signal or direction of such police officer or such sign. (**amended B/L 9143, Sept. 21/87**)

TRAFFIC SIGNS AND SIGNALS

- 4. The Executive Director of Operations is hereby authorized to place or erect, and to maintain such signs as may be necessary to give effect to the provisions of this by-law, or as are required to warn or guide traffic for the safety or convenience of the public. (**amended B/L 11573, Sept.20/93**)(**deleted**)

& added, B/L 7-2006, Jan.30/06)

5. No person shall place, maintain or display upon or in view of any road any sign, signal, marking or device which purports to be or is an imitation of or resembles any traffic control device or which conceals from view or interferes with the effectiveness of any traffic control device.

6. No person shall wilfully move, alter, deface or otherwise interfere with any traffic control device erected or placed pursuant to the provisions of this by-law.

PARKING ON BOULEVARDS

7. No person shall park a vehicle on, over or along any boulevard, sidewalk, curb, pathway, footpath or crosswalk used by or set aside for the use of pedestrians and forming part of any highway, or being in or upon any park, park lot, boulevard, garden or other place set apart for ornament or embellishment, or for public recreation within the Municipality. **(inserted B/L 10676, May 21/91; amended B/L 11338, Feb.15/93)**

PARKING AND STOPPING REGULATIONS

8. ~~When properly worded or marked signs have been erected and are on display, no person shall park a vehicle on the highways or portions of the highways set out in Schedule "A" (Limited Parking On), Schedule "B" (Alternate Parking – Limited Parking On), Schedules "H" and "Z" (Parking for persons with disabilities) and Schedule "I" (Loading Zones) hereof for a longer period of time than therein specified as the parking limit within the hours and on the days during the months therein provided. (amended B/L 9143, Sept. 21/87; B/L 9268, Jan. 18/88; BL 11338, Feb.15/93; amended B/L 11638, Nov.15/93; amended B/L 11662, Dec.6/93) (amended B/L 210-2008, Dec.1/08)(DELETED B/L 94-2013 JUNE 17/13)~~

8. ~~When properly worded or marked signs have been erected and are on display, no person shall park a vehicle on the highway or portions of the highways as set out in Schedule "A" (Limited Parking On), Schedule "B" (Alternate Parking – Limited Parking On), Schedules "H" and "Z" (Parking for persons with disabilities) hereof for a longer period of time than therein specified as the parking limit within the hours and on the days during the months therein provided (ADDED B/L 94-2013 JUNE 17/13)(DELETED B/L 70-2014 MAY 5, 2014)~~

8. ~~When properly worded or marked signs have been erected and are on display, no person shall park a Vehicle on the Highway or portions of the Highways as set out in Schedule "A" (Limited Parking), Schedule "B" (Alternate Parking – Limited On), Schedules "H" and "Z" (Parking for persons with disabilities) and Schedule "I" (Loading Zones) hereof for a longer period of time than therein specified as the parking limit within the hours and on the days during the months therein provided. (ADDED B/L 70-2014 APR 22/14)(DELETED B/L 34-2017 FEB 21/17)~~

8. When properly worded or marked signs have been erected and are on display, no person shall park a Vehicle on the Highway or portions of the Highways as set out in Schedule "A" (Limited Parking), Schedule "B"

(Alternate Parking – Limited On), Schedule “H” and “Z” (Parking for persons with disabilities) and Schedule “I” (Loading zones) hereof for a longer period of time than therein specified as the parking limit within the hours and on the days during the months therein provided effective 9:00 a.m. on the first day of each month **(ADDED B/L 34-2017 FEB 21/17)**

9. **(amended B/L 9143, Sept. 21/87; repealed B/L 9268, Jan. 18/88.)**

10.(l) No person shall park a vehicle at any time -

- (a) on any street in state of abandonment; **(inserted B/L 11976, Oct. 3/94)(deleted and added B/L 277-2005, Nov.21/05)**
- (b) within three metres (3 m.) either side of a direct line measured at right angles from the curb, from any fire hydrant;
- (c) within a fifteen metre (15 m.) space immediately in front of the main entrance to theatres, apartment houses, hospitals, hotels, theatre exits and other places of public assembly; **(amended B/L 9143, Sept. 21/87)**
- (d) within a fifteen metre (15 m.) space immediately in front of the main entrance to churches, unless permitted under the provisions of this by-law or any other by-law of the Corporation;
- (e) on any bridge or any subway, or on the approaches thereto, or in any alley;
- (f) in such a position as to prevent the convenient removal of any other vehicle previously parked;
- (g) ~~immediately in front of any driveway;~~**(DELETED B/L 44-2012 APR 16/12)**
- (1)(g) immediately in front of any portion of any driveway **(ADDED B/L 44-2012 APR 16/12)**
- (h) on any fire route designated in Schedule “DD”;
- (i) on any roadway so as to obstruct or interfere with the movement of traffic, unless otherwise permitted in this by-law **(added B/L 10798, Sept.23/91) (amended B/L 11338, Feb.15/93)**
- (j) ~~on core salt/plough routes as set out in Schedule “II” (Core Salt/Plough Routes) hereof, for forty-eight (48) hours following the end of any snowfall above seven and one half centimetres (7.5 cm). (added B/L 63-2002, Mar.4/2002)(DELETED B/L 70-2014 APR 22/14)~~
- (j) On core salt/plough routes as set out in Schedule “II” (Core Salt/Plough Routes) hereof, for forty-eight (48) hours following the end of any snowfall above seven and one half centimetres (7.5 cm) when publicly declared by the Corporation **(ADDED B/L 70-2014 APR 22/14)**
- (k) within fifteen metres (15m) of the nearest rail of level railway crossing. **(added B/L 7-2006, Jan. 30/06)**
- (l) within a fifteen metre (15m) space immediately adjacent the entrance(s) to a fenced park, unless permitted under the provisions of this by-law or any other by-law of the Corporation. **(added B/L 64-2008, Apr.14/08)**
- (m) along the entire frontage of any park with unrestricted access, unless permitted under the provisions of this by-law or any other by-law of the Corporation. **(added B/L 64-2008, Apr.14/08)**
- (n) In a designated space that is signed electrical vehicle parking only unless such vehicle is in the process of being re-charged **(ADDED B/L 106-2015 AUG 4/15)**
- (o) Within 3 metres (3m) either side of a direct line measured at right angles from the curb from any community mailbox **(ADDED B/L 127-2018 SEPT.17/18)**

- (2) When properly worded or marked signs have been erected and are on display, no person shall park a vehicle -
- (a) ~~in any designated loading zone during the hours and the days therein provided in this by law, except as permitted in this by law (substituted B/L 9310, Feb.29/88);(DELETED B/L 94-2013 JUNE 17/13)~~
- ~~(a) Other than a commercial vehicle displaying a valid permit for accessible parking in accordance with Section 21(6), standing on the portions of the highways hereinafter designated in Schedule "I" (loading zones) or hereof, except during the hours, days and months therein provided (ADDED B/L 94-2013 JUNE 17/13)(DELETED B/L 70-2014 APR 22/14)~~
- (a) Other than a Commercial Motor Vehicle or a Vehicle displaying a valid permit for accessible parking in accordance with Section 21(4) standing on the portions of the Highways hereinafter designated in Schedule "I" (Loading Zones) or hereof, except during the hours, days and months therein provided (ADDED B/L 70-2014 APR 22/14)
- (b) within fifteen metres (15 m.) of an intersection unless permitted under the provisions of this or any other by-law of the Corporation or on any highway or portion of the highway set out in Schedule "C" (No Parking On) hereof or any highway or portion of the highway as set out in section 3 (obedience to Police Officers) hereof; (amended B/L 9268, Jan. 18/88; amended B/L 10836, Nov.4/91)
- (c) within seven and half metres (7.5m) of a fire hall on that side of a highway on which a fire hall is located or within one hundred metres (100 m.) of such fire hall on the opposite side of the highway;(amended B/L 7-2006, Jan. 30/06)
- (d) (amended B/L 9143, Sept. 21/87; B/L 9268, Jan. 18/88)
- (e) on any highway along the curb adjacent to school premises between the hours of 8:00 a.m. and 5:00 p.m., except Saturdays, Sundays, or other school holidays;
- (f) ~~within a cul-de-sac as set out in Schedule "M" (No Parking Within Cul-de-sacs) hereof during the times therein specified. (amended B/L 9143, Sept. 21/87) (amended B/L 11338, Feb.15/93)(DELETED B/L 34-2017 FEB 21/17)~~
- (g) ~~Within 3 metres (3m) either side of a direct line measured at right angles from the curb from any community mailboxes (ADDED B/L 170-2013 OCT 21/13) (DELETED BY BYLAW 127-2018 SEPT.17/2018)~~
- (h) Within 30 metres in either direction of a Multi-use Recreational Trail Crossing Location measured from the nearest trail edge (ADDED B/L 26-2017 FEB 6/17)
- 10(3). No person shall park a vehicle having a registered gross weight or a gross vehicle weight rating of three thousand kilograms (3,000 kg.) or more at any time on any highway or portion of highway other than the highways set out in Schedule "AA" (Designated Truck Routes) hereof. (amended B/L 9143, Sept. 21/87; B/L 11338, Feb.15/93)(deleted & replaced B/L 57-2009, March 30/09)
- 10(4) No person shall park a vehicle having a registered gross weight or a gross vehicle weight rating of three thousand kilograms (3,000 kg.) or more, during the hours 10:00 p.m. to 6:00 a.m., Monday to Sunday on any Highway within the City of Windsor. (added B/L 283-2004, August 30/04) (deleted & replaced B/L 57-2009, March 30/09)
- 10(5). No licensed vehicle shall be parked in the same spot, upon any street or highway for longer than three (3) consecutive days. (added B/L 277-2005, Nov.21/05)
- 10(6) Unless otherwise permitted in this by law, no person shall stop or park a vehicle at any time.

- (a) Within a roundabout
- (b) Within a traffic circle
- (c) Within a school bus loading zone
- (d) On or adjacent to a median island
- (e) On, under or within 30 meters of a bridge, elevated structure, tunnel or underpass **(Added B/L 82-2010 May 17, 2010)**
- (f) Within a Bicycle Lane **(ADDED B/L 162-2013 OCT 21/13)**

10(7) No person shall park or leave an unattached trailer of any kind on a street **(ADDED BY-LAW 85-2015 JUNE 15/15)**

10(8) Section 10(6)(f) does not apply to the following vehicles which are driven or stopped in any lane or portion of a bicycle lane when properly worded or marked signs have been erected and are on display:

- i) Emergency vehicles operated to assist in fire fighting and fire prevention, ambulances, and vehicles operated by the Windsor Police Service
- ii) Public transit motor vehicles owned and operated by the Transit Windsor as part of its regular public transportation service and school buses
- iii) Vehicles actually engaged in works, undertaken for or on behalf of The Corporation of the City of Windsor, Transit Windsor or a public utilities providing telephone, natural gas or cable television services, refuse collection **(ADDED BY LAW 73-2017 MAY 8/17)**

11. Angle parking shall be permitted on the highways hereinafter set out in Schedule "N" (Angle Parking) hereof and every person shall park a vehicle in accordance with the angle prescribed in said Schedule "N" (Angle Parking) with the front end of the vehicle at the curb and within the parking space designated on the said highways. **(amended B/L 9143, Sept. 21/87; B/L 11338, Feb. 15/93)**

~~12. When properly worded or marked signs have been erected and are on display, no person shall park a vehicle on the highways or portions of highways set out in Schedule "D" (Alternate Side Parking - No Parking On) and Schedule "E" (Limited Alternate Side Parking - No Parking On) hereof during the times and months therein specified. (amended B/L 9143, Sept. 21/87; amended B/L 10298, May 28, 1990; amended B/L 11338, Feb. 15/93) (DELETED B/L 34-2017 FEB 21/17)~~

12. When properly worded or marked signs have been erected and are on display, no person shall park a vehicle on the highways or portions of highways set out in Schedule "D" (Alternate Side Parking - No Parking On) hereon during the times and months therein specified effective 9:00 a.m. on the first day of each month **(ADDED B/L 34-2017 FEB 21/17)**

13. No person shall double park a vehicle on any highway at any time. **(inserted B/L 11338, Feb./15/93)**

~~14. On every highway except one-way highways, a vehicle which is stopped for the purposes of~~

~~parking or for the purpose of taking on or discharging passengers, or loading or unloading merchandise, shall be brought by its operator to a stop with the righthand wheels thereof not more than thirty centimetres (30 cm.) from the righthand curb, and where parking is permitted on the lefthand side of a one-way highway, the lefthand wheels of a vehicle stopped for any of the purposes aforesaid shall not be more than thirty centimetres (30 cm.) from the lefthand curb; provided that where angle parking is permitted under Section 11 hereof, the provisions of Section 11 and Schedule "N" (Angle Parking) hereof shall prevail. (amended B/L 9143, Sept. 21/87; B/L 11674, Dec.20/93) (DELETED B/L 148-2020, Nov. 9th, 2020)~~

14. On every highway a vehicle which is stopped for the purpose of taking on or discharging passengers, or loading or unloading merchandise, shall be brought by its operator to a stop with the righthand wheels thereof not more than thirty centimetres (30 cm.) from the righthand curb, and where parking is permitted on the lefthand side of a one-way highway, the lefthand wheels of a vehicle stopped for any of the purposes aforesaid shall not be more than thirty centimetres (30 cm.) from the lefthand curb; provided that where angle parking is permitted under Section 11 hereof, the provisions of Section 11 and Schedule "N" (Angle Parking) hereof shall prevail. **(amended B/L 9143, Sept. 21/87; B/L 11674, Dec.20/93; B/L 148-2020, Nov. 9/2020)**

15. ~~When properly worded or marked signs have been erected and are on display, no person shall leave a vehicle, other than a commercial motor vehicle or a vehicle displaying a valid accessible parking permit, standing on the portions of the highways hereinafter designated in Schedule "I" (Loading Zones) hereof during the hours and days therein provided. (amended B/L 9143, Sept. 21/87; B/L 9310, Feb. 29/88; B/L 11338, Feb.15/93)(amended B/L 210-2008, Dec.1/08)(DELETED B/L 94-2013 JUNE 17/13).~~

16. ~~When properly worded or marked signs have been erected and are on display, no person shall leave a vehicle, other than a commercial motor vehicle or a vehicle displaying a valid permit for accessible parking in accordance with section 21(6) hereof, standing on the portions of the highway designated in Schedule "J" (Loading Zones - Alternate Months) hereof, except during hours, days and months indicated in the said Schedule. (inserted B/L 11338, Feb.15/93)(amended B/L 210-2008, Dec.1/08)(DELETED B/L 94-2013 JUNE 17/13)~~

17. When properly worded or marked signs have been erected and are on display, no person shall stand a vehicle at any time on the highways or portions of the highways designated in Schedule "G" hereof relating to "NO STANDING - ANY TIME".

18. Pursuant to subsection 10 of Section 175 of The Highway Traffic Act, R.S.O. 1990, Chapter

H8, as amended, the portions of the highways set out in Schedule "BB" hereof are hereby designated "SCHOOL BUS LOADING ZONES".(amended B/L 7-2006, Jan.30/06)

18(2). When properly worded or marked signs have been erected and are on display, no person shall park, stop or stand a vehicle other than a school bus on the portions of the highways designated in Schedule "BB" (School Bus Loading Zones) hereof.(added B/L 10676, May 21/91; inserted B/L 11338, Feb.15/93)

19. When properly worded or marked signs have been erected and are on display, no person shall stop or park a vehicle on the highways or portions of the highways set out in Schedule "F" (No Stopping or Parking) hereof during the prohibited times or days set out therein. (amended B/L 9143, Sept. 21/87; B/L 11338, Feb.15/93)

20. ~~When properly worded or marked signs have been erected and are on display, no person shall stop or park a vehicle within the area designated as a Bus Stop on any highway or portions of the highway.~~ (amended B/L 219-1999, Aug.16/99)(DELETED B/L 73-2017 MAY 8/17)

20. When properly worded or marked signs have been erected and are on display, no person shall stop or park a vehicle within the area designated as a Bus Stop on any highway or portions of the highway except for School buses and Public Transit motor vehicles owned and operated by Transit Windsor as part of its regular public transportation services (**ADDED BY/LAW 73-2017 MAY 8/17**)

20A. When properly worded or marked signs have been erected and are on display, no person shall stop or park a vehicle within 30 metres of a pedestrian crossover. (**added B/L 10104, Jan.29/90; amended B/L 219-1999, Aug.16/99**)

ACCESSIBLE PARKING (amended B/L 210-2008, Dec. 1/08)

- 21 (1) A designated *accessible parking* space as required by this By-law shall be distinctly indicated in accordance with the requirements of the Highway Traffic Act and the regulations made thereunder. (**amended B/L 210-2008, Dec. 1/08**)
- (2) Designated *accessible parking* spaces, (**amended B/L 210-2008, Dec. 1/08**)
- (a) on streets and highways are described in Schedule "H", Schedule "Z" and Schedule "P".
- (3) Every owner or operator of a parking lot or other parking facility to which the public has access whether on payment of fee or otherwise which has twenty-five (25) or more parking spaces shall provide designated *accessible parking* spaces therein in accordance with the following table: (**amended B/L 210-2008, Dec.1/08**)

TOTAL NUMBER OF PARKING SPACES	REQUIRED NUMBER OF DESIGNATED <u>ACCESSIBLE PARKING SPACES</u> (amended B/L 210-2008, Dec.1/08)
25-99	1
100-149	2
150-199	3
200-249	4
250-299	5
300-349	6
350-399	7
400-449	8
450-499	9
500-549	10
550-599	11
600-649	12
650-699	13
700 or more	1 (one) <i>accessible parking</i> space for every additional 50 parking spaces or part thereof
(amended B/L 11891, Aug. 2/94)(amended B/L 210-2008, Dec.1/08)	

(4) A Permit for *accessible parking* issued under the Highway Traffic Act shall be clearly displayed in the drivers side of the front windshield of the vehicle when such vehicle is parked in accordance with this By-law. **(amended B/L 210-2008, Dec.1/08)**

(5) A designated *accessible parking* space on a municipal parking lot, a private parking lot or a parking facility shall have a width of not less than 4.6 metres shall be the nearest parking space or spaces to the principal entrance of the main building. **(amended B/L 210-2008, Dec.1/08)**

(6)(a) The provisions of section 8 with respect to Schedule "A" (Limited Parking On) and Schedule "B" (Alternate Side Limited Parking On) shall not apply to a person operating a vehicle on behalf of a person(s) with disabilities provided that a currently valid permit for accessible parking has been issued to the owner or the operator of such vehicle or to a passenger being picked up or transported in the vehicle, and such permit is displayed in accordance with section 21(4) hereof, but in no instance shall such vehicle be so parked in excess of the time specified in Schedule "H". **(inserted B/L 11338, Feb.15/93) (amended B/L 210-2008, Dec.1/08)**

(6)(b). Clause 21(6)(a) above, shall not apply to any parking limit established by Schedule "A" (Limited Parking On) or Schedule "B" (Alternate Side Limited Parking On) of thirty (30) minutes or less. **(inserted B/L 11338, Feb.15/93)**

~~(7). — Notwithstanding the issue of a currently valid permit for person(s) with disabilities to the owner or operator of a vehicle, or to a passenger being picked up or transported in said vehicle, and the display of such permit in accordance with section 21(6) hereof, no person shall park a vehicle on the portions of the highways designated in Schedule "H" (Designated Accessible Parking — 4 Hour Limit — Unless otherwise specified herein) or Schedule "Z" (Off Street Accessible Parking) or Schedule "P" (Personal Accessible Parking) hereof, for a period exceeding the specified time in the respective schedule. **(inserted B/L 11338, Feb.15/93) (amended B/L 210-2008, Dec.1/08) (DELETED B/L 113-2017 JULY 17/17)**~~

21(7) Notwithstanding the issue of a currently valid permit for person(s) with disabilities to the owner or operator of a vehicle, or to a passenger being picked up or transported in said vehicle, and the display of such permit in accordance with section 21(6) hereof, no person shall park a vehicle on the portions of the highways designated in Schedule "H" (Designated Accessible Parking — 4 Hour Limit per calendar day and per signed location — Unless otherside specified herein) or Schedule "Z" (Off Street Accessible Parking) or Schedule "P" (Personal Accessible Parking)hereof, for a period exceeding the specified time in the respective schedule **(ADDED B/L 113-2017 JULY 17/17)**

~~(8).~~ No owner or operator of a parking lot or parking facility shall charge a fee for the use of a designated *accessible parking* space, in excess of that fee charged to other members of the general public with respect to non-designated parking spaces. **(inserted B/L 11338, Feb.15/93) (amended B/L 210-2008, Dec.1/08)**

(9) Any owner or operator of a parking lot or parking facility who contravenes any provision of this Section is guilty of an offence and shall be liable upon conviction to a fine of not more than two thousand dollars exclusive of costs for each offence and such penalty and costs shall be recoverable under the Provincial Offences Act.

(12). Where a *accessible parking* space has been designated in accordance with this Section, no person shall park or stop a vehicle in that space unless a currently valid permit for *accessible parking* has been issued to the owner or the operator of such vehicle, or to a passenger being picked up or transported in the vehicle and such permit is displayed in accordance with Section 21(4) above.

(amended B/L 9143, Sept. 21/87)
(amended B/L 10153, Mar. 5/90).
(amended B/L 10868, Dec. 9/91)
(amended B/L 11338, Feb.15/93)
(amended B/L 210-2008, Dec.1/08)

TAXICAB STANDS

22. Where properly worded or marked signs have been erected and are on display, no person shall park a vehicle, other than a taxicab with the driver in attendance, upon the portions of the highways designated in Schedule "K" (Taxicab Stands) and Schedule "L" (Taxicab Stands - Alternate Months) hereof." **(amended B/L 9143, Sept. 21/87; B/L 11338, Feb.15/93)**

23. No person shall solicit fares for a taxicab or otherwise on any highway other than at a taxicab stand, and no taxicab while waiting for a hire engagement shall be parked on a highway other than a taxicab stand.

PART III

FIRE ROUTES

24.(1) Each owner shall ensure that his building has a fire route constructed and maintained in compliance with the provisions of this by-law.

(2) No person shall establish or sign a fire route other than in accordance with the provisions of this by-law.

25.(l) The Chief Building Official shall refuse to issue a building permit to an applicant for such building permit for any building or extension thereof,

- (a) where at least one (l) of the plans filed (8 1/2" x 14") in duplicate with the building permit application,
 - (i) does not show the proposed location of a fire route, or
 - (ii) shows the proposed location of a fire route which is not in compliance with the provisions of this by-law; and
- (b) until,
 - (i) the applicant has complied with the provisions of paragraph (a) hereof,
 - (ii) he is in receipt of written approval of the fire route from the Chief Fire Official, and
 - (iii) the applicant has complied with the zoning requirements.

(2) The plan to be filed pursuant to subsection (l) hereof shall

be in duplicate and show:

- (a) the location of every building on the site;
- (b) the location of all pedestrian walks, parking areas, parking aisles and driveways on the site;
- (c) the location of all water hydrants;
- (d) the proposed location of the fire route;
- (e) provision for the signatures of the Chief Building Official and the Chief Fire Official and;
- (f) compliance with the specifications set forth in Part IV of this By-law.

EXISTING BUILDING

26.(l) Where a building is in existence at the time of enactment of this by-law the owner may apply or if ordered by the Chief Fire Official, shall apply, for the designation of a fire route, by filing an application together with a plan in duplicate of the fire route with the Chief Building Official.

(2) The Plan to be filed pursuant to subsection (l) hereof shall show:

- (a) the location of every building on the site;
- (b) the location of all pedestrian walks, parking areas, parking aisles and driveways on the site;
- (c) the location of all water hydrants, and
- (d) the proposed location of the fire route.

(3) The Chief Building Official shall not approve the fire route until he is in receipt of written approval of the fire route by the Chief Fire Official.

(4) Where an owner is in receipt of an order of the Chief Fire Official as prescribed by

subsection (1) hereof, the plans required to be filed by subsection (1) hereof, shall be filed within two (2) months from the date of issuance of the order.

GENERAL

27.(1) Subject to subsection (2) hereof, every owner shall ensure that the fire route is constructed on his property in accordance with the plans approved and the specifications set forth in Part IV of this By-law, at his own expense.

(2) Where an owner is in receipt of an order of the Chief Fire Official as provided in subsection (1) of Section 26 hereof, the owner shall ensure that the fire route is constructed in accordance with the plans approved and the specifications set forth in Part IV of this By-law within 90 days from the day of the issuance of the order of the Chief Fire Official. **(deleted & replaced B/L 93-2009, June 1/09)**

(3) The owner shall file an as-built plan in pdf format of the fire route with the Chief Building Official and the Executive Director of Operations **(amended B/L 11573, Sept.20/93; deleted & added B/L 7-2006, Jan.30/06) (deleted & replaced B/L 93-2009, June 1/09)**

(4) Upon receipt of the as-built plan, the Chief Building Official shall:

- (a) approve the fire route by affixing his signature to the as-built plan of the fire route, and
- (b) notify the City Solicitor of the approval referred to in paragraph (a) hereof.

(5) Upon receipt of the notice referred to in paragraph (b) of subsection (6), the City Solicitor shall submit the necessary recommendations to City Council for its designation of the fire route under Schedule "DD" (Designated Fire Routes) of this by-law. **(amended B/L ,9143 Sept. 21/87)**

(6) Upon City Council designating the fire route, the City Clerk shall notify the Chief Building Official of its designation, and add it to Schedule "DD" of this by-law. **(deleted & replaced B/L 93-2009, June 1/09)**

(7) The plans of the designated fire route shall be:

- (a) on file in the office of:
 - (i) the Chief Building Official,
 - (ii) the Chief of Police,
 - (iii) the Chief Fire Official, and
 - (iv) the Executive Director of Operations, **(amended B/L 11573, Sept.20/93; deleted & added B/L 7-2006, Jan.30/06)**
- and,
- (b) made available for viewing to the public upon request.

SIGNS

28.(1) Upon receipt of notice of the designation of the fire route, the Chief Fire Official, the Police

Chief or the Executive Director of Operations is hereby authorized and directed to enter or cause entry on the property to erect or cause to be erected, inspected and maintained, such signs, markings or barricades as are required to give effect to this by-law and as are required to regulate and govern traffic for the safety of the public. **amended B/L 11573, Sept.20/93; deleted & added B/L 78-2006, Jan.30/06)**

28(2). Signs designating a fire route shall be as specified in Schedule "FF" herein and shall be placed at intervals of not less than 15.24 metres and not more than 45.72 metres along the designated fire route and one such sign shall be placed at each limit of the fire route." **(inserted B/L 9590, Nov. 7, 1988; B/L 11338, Feb.15/93)**

- (b) **(deleted B/L 9590, Nov. 7, 1988)**
- (c) **(deleted B/L 9590, Nov. 7, 1988)**
- (d) **(deleted B/L 9590, Nov. 7, 1988)**
- (e) be placed,
 - (i) on intervals of not less than 15.24 metres and not more than 45.72 metres along the designated fire route, and
 - (ii) one at each limit of the fire route.
 - (iii) The signs must be installed on the right side of the roadway, at an angle of between 30 and 45 degrees to the flow of traffic and must always be visible. **(added B/L 93-2009, June 1/09)**
 - (iv) The left edge of the sign must be placed no closer than 0.6 metres and no greater than 2.0 metres from the edge of the roadway. **(added B/L 93-2009, June 1/09)**
 - (v) The bottom of the sign shall be placed no less than 2.3 metres and no greater than 3.0 metres above grade. **(added B/L 93-2009, June 1/09)**

ACCOUNTS

29.(1) The owner shall pay the Corporation for the services prescribed in subsection (4) of Section 27 and subsection (1) of Section 28 hereof.

(2) All accounts rendered by the Corporation for services as referred to in subsection (1) hereof, shall be paid within thirty (30) days of the day of billing.

(3) If payment is not made by the owner in accordance with the provisions of subsection (2) hereof, the Corporation may recover the expense incurred by action, or the same may be recovered in like manner as municipal taxes.

30.(1) No person shall, without authority from the Chief Fire Official, Police Chief or Executive Director of Operations erect, alter, move, remove or deface or in any manner interfere with any sign, marking or barricade placed, erected or maintained under the authority of this by-law. **(amended B/L 11573, Sept.20/93; deleted & added B/L 7-2006, Jan.30/06)**

(2) Every owner shall at his own expense erect and maintain such signs in good order and to the satisfaction of the Chief Fire Official, Police Chief or Executive Director of Operations. **(amended B/L 11573, Sept.20/93; deleted & added B/L 7-2006, Jan.30/06)**

31. No person shall park, leave or stop a vehicle in an area designated by a sign as a designated fire route as in Schedule "DD" (Designated Fire Routes) of this by-law. **(amended B/L 9143, Sept. 21/87)**

32. The owner shall maintain the fire route:

- (a) in good repair;
- (b) clear of snow and ice; and
- (c) free of blockage by any means.

33. If an owner provides a fire route for the sole purpose of a fire route, the control of entry of vehicles for the exclusive fire route shall be:

- (a) drive through flexible barriers

PART IV

FIRE ROUTE SPECIFICATIONS

CONSTRUCTION AND DESIGN

34. Where the fire route is not used as part of a service road, it shall be constructed as follows:

- (a) not less than 9.0 cm. of hot mixed asphalt on not less than 30.0 cm. crushed stone or gravel on a compacted base; or
- (b) not less than 15.24 cm. concrete slab minimum compressive strength 30000 K.Pascals on not less than 15.24 cm. crushed stone on a compacted base.

35. Where the fire route is used as part of a service road, it shall be constructed as follows:

- (a) not less than 7.62 cm. of hot mixed asphalt on not less than 30.00 cm. crushed stone or gravel on a compacted base; or
- (b) not less than 15.24 cm. of concrete slab minimum compressive strength 30000 K.Pascals on not less than 15.24 cm. crushed stone on a compacted base.

36. Changes in horizontal direction on a fire route shall have an inside radius of not less than 15.24 metres.

37. If a fire route is constructed over an underground structure, it shall be designed to support the expected loads imposed by the municipal fire fighting equipment.

38. A fire route shall have a vertical clearance throughout its width and length of not less than

5.0 metres and such clearance shall be maintained at all times.

39. No portion of a fire route shall have a grade of not more than 1 in 12.5 over a minimum distance of 15 meters.

40. Where the building or structure is three (3) or more storeys in height, the nearest edge of a fire route shall be located:

- (a) not less than 3 metres from a building; and
- (b) not more than 10 metres from a building.

41. A designated fire route:

- (a) shall be subject to paragraph (b) hereof, not less than 6 metres in width on straight portions,
- (b) shall be where the building or structure is three (3) or more storeys in height, not less than 6 metres in width on the portion of the fire route that is parallel to the face or faces of the building or structure which it serves, and
- (c) shall be not less than 6 metres in width on curved portions.
- (d) have no vertical deflections (speed bumps, humps etc.) throughout the site it is required to be constructed on.

PART V

PRIVATE PROPERTY

42.(1) No person shall park or leave any motor vehicle on private property without the consent of the owner or occupant of such property.

(2) No person shall park or leave any motor vehicle on property owned or occupied by the Corporation without the consent of the Corporation.

(3) Notwithstanding Section 42(1) no person shall park, stand or stop a motor vehicle on a front yard in a residential district except on a driveway or as authorized by statute, regulation, by law or otherwise by the Corporation. **(ADDED B/L 182-2016 DEC 12/16)**

43. Subject to Section 44, any motor vehicle which is parked or left in contravention of this by-law may be removed or impounded by the Police Chief, and all costs and charges for removing or impounding the vehicle shall be paid by the owner thereof and shall be a lien upon the vehicle, which may be enforced in the manner provided by the *"Repair and Storage Liens Act"*. **(amended B/L 12285, Aug.14/95)**

44. ~~Notwithstanding Section 45, the driver or owner of a motor vehicle parked or left on private property is not liable to any penalty or to have the motor vehicle removed from such property or impounded under this by-law, except upon the written complaint of the owner or occupant of the~~

~~property given to a constable or Provincial Offences Officer enforcing this by law. (DELETED B/L 182-2016 DEC 12/16)~~

The driver or owner of a motor vehicle parked or left on private property in violation of Section 42(1) or Section 42 (2) is not liable to any penalty or to have the motor vehicle removed from such property or impounded under this by law, except upon written complaint of the owner or occupant of the property given to a constable or Provincial Offences Officer enforcing this by law. (ADDED B/L 182-2016 DEC 12/16)

~~45.(1) — A Special Constable appointed under The Police Act, or a Provincial Offences Officer, may enforce the provisions of this By-law with respect to the property owned or occupied by the persons listed in Schedule "Q" (Private Property) hereto, and shall be deemed to have the written authority of the owner or occupant of the property to enforce this By-law and such Special Constable or Provincial Offences Officer is not required to receive a written complaint before enforcing this By-law. (amended B/L 9143, Sept. 21/87) (DELETED B/L 182-2016 DEC 12/16)~~

45.(1) Notwithstanding Section 44, a police officer or a Provincial Offences Officer, may enforce the provisions of this By-law with respect to the property owned or occupied by the persons listed in Schedule "Q" (Private Property) hereto, and shall be deemed to have the written authority of the owner or occupant of the property to enforce this By-law and such Police Officer or Provincial Offences Officer is not required to receive a written complaint before enforcing this By-law (ADDED B/L 182-2016 DEC 12/16)

(2) For the purposes of this section where an owner or occupant of property listed in Schedule "Q" (Private Property) has posted signs stating the conditions on which a motor vehicle may be parked or left on the property, or prohibiting the parking or leaving of a motor vehicle on the property, a motor vehicle parked or left on the property contrary to such posted conditions or prohibition shall be deemed to have been parked or left on the property without the owner's or occupant's consent. (amended B/L 9143, Sept. 21/87)

PART VI

PARKING LOTS AND METERS

PARKING LOTS

46. The lands described in Schedules "U" (Description of Parking Lots) and "V" (Description of Garage Parking Lots) of this by-law are hereby set aside and established as Municipal Parking Lots for the parking thereon of the types of motor vehicles specified hereunder. (amended B/L 9143, Sept.

21/87)

ERECTION OF METERS AND OTHER DEVICES AND THE DESIGNATION OF PARKING SPACES

47.(1) The erection, maintenance and creation of automatic or other mechanical meters or devices, with the necessary stands for the same, for the purpose of controlling the parking of any vehicle and measuring and recording the duration of parking upon the highways or portions of the highways as set out in Schedule "S" (Street Meters) and on municipal parking lots as set out in Schedule "T" (Parking Lots) is hereby authorized. **(amended B/L 9143, Sept. 21/87)**

(2) The designation of parking spaces by lines or markings painted or placed upon the curb and/or upon the highway adjacent to each parking meter, in a manner sufficient to designate the parking space for which such meter is to be used, and the designation of parking spaces by similar or other marking on the surface of municipal parking lots is hereby authorized.

THE PARKING OF MOTOR VEHICLES IN PARKING SPACES

48. Where parking meters have been installed and parking spaces designated therefore under the authority of this by-law on any highway in the municipality, every person parking in such a space shall park totally within the space designated for the respective parking meter. **(inserted B/L 11338, Feb.15/93)**

49. Where parking meters or pay and display machines have been installed and parking spaces designated therefore under the authority of this by-law in a municipal parking lot, every person using a parking space therein shall park totally within the parking space designated as such by lines or markings painted upon the surface of the parking lot. **(inserted B/L 11338, Feb.15/93)**

50. Where a municipal parking lot is controlled by a control gate, every person using a parking space therein shall park within the parking space designated therein by lines or markings painted upon the surface of the parking lot. **(inserted B/L 11338, Feb.15/93)**

51. No person shall park a vehicle on any street or portion of a street or on any municipal parking lot across any lines or markings, or in such a position that the vehicle shall not be entirely within the area designated by such lines or markings designating the parking space. **(inserted B/L 11338, Feb.15/93)**

52. No person shall park on any municipal parking lot any vehicle that has a gross vehicle weight of more than 3,000 kilograms. **(substituted B/L 12201, May 8/95)**

PAYMENT OF PARKING FEES

53. The operator of every vehicle upon parking the vehicle in a parking space on a highway or municipal parking lot set out in Schedules "S" (Street Meters) and "T" (Parking Lots) hereof shall pay

such fees and be governed by such times and conditions as are set out in the said Schedules, except as follows:

- (a) ~~For forty eight (48) hours following the end of any snowfall in excess of seven and one half centimetres (7.5 cm), the requirement to pay such fees in municipal parking lots as set out in Schedule "T" (Parking Lots) hereof, shall be waived. (DELETED B/L 32-2014 MARCH 17/14)~~
- (b) ~~For the purposes of subsection 53(a), the definition of "municipal parking lot" as set out in subsection 1(24) hereof, shall not include a municipal parking garage. (amended B/L 9143, Sept. 21/87; B/L 11338, Feb.15/93; B/L 63-2002, Mar.4/2002)(DELETED B/L 32-2014 MARCH 17/14)~~
- (c) For any vehicle bearing a valid and unexpired "poppy" license plate issued by the Ministry of Transport for the Province of Ontario and denoting service in the armed forces, the requirement to pay such fees in municipal parking lots as set out in Schedule "S" (Street Meters) and Schedule "T" (Parking Lots) hereof, shall be waived. **(added B/L 237-2005, Sept.26/05)**

54. ~~No person shall park a vehicle in any parking space for which a parking meter has been designated while said meter is displaying that time is expired. (inserted B/L 11338, Feb.15/93)~~

Deleted B/L 120-2010 July 26/10

54. No person shall park any vehicle in any parking space for which a parking meter has been designated while said meter is displaying any of the following:

- (a) Time has expired and therefore needs additional monies
- (b) That the meter is out of order and shows "Fail"
- (c) that the meter has no display or reads blank **(Added B/L 120-2010 July 26/10)**

55. The operator of every vehicle using the municipal parking lots operated by a control gate or an attendant as set out in Schedule "X" (Garage Parking Lot Fees) hereof shall pay such fee and be governed by such times and conditions as are set out in the said Schedule. **(amended B/L 9143, Sept. 21/87; B/L 11338, Feb.15/93)**

56. Notwithstanding any other provisions of this by-law or any other by-law, the permissible parking period of any parking space on any street or part of a street, described in Schedule "S" (Street Meters) or on any municipal parking lot described in Schedule "U" (Description of Parking Lots) shall be the periods described by Schedules "S" (Street Meters), "T" (Parking Lots) and "Y" (Visitors Lots Without Fees) of this by-law, and no person shall allow a vehicle to remain parked in a parking space beyond the maximum parking period for the parking space. **(amended B/L 9143, Sept. 21/87)**

57. ~~Executive Director of Operations or designate, of the Corporation is hereby authorized and directed to issue parking permits to applicants therefore permitting the use of Parking Lots 4-1, 4-2, 4-3, 6, 9, 14, 15, 16, 18, 21, 22, 23, 25, 26, 27, 28, 29, 31, 35, as shown on Schedule "T" (Parking Lots) of this by law on a calendar month basis upon the payment in advance of a monthly fee of \$20.00 per vehicle for Lots 4-1, 4-2, 4-3, 9, 14, 18, 21, 29 and 35; and a monthly fee of \$30.00 per vehicle for Lots 6, 11, 15, 22, 23, 25, 26, 27, 28, and 31; and permitting the use of Garage Parking Lots 1 and 2 as shown on Schedule "X" of this by law on a calendar month basis upon the payment in advance of a monthly fee of \$60.00 per vehicle (or \$50.00 per vehicle for corporate groups of 30 or more vehicles)~~

~~for Parking Garage Lot 1 and for Parking Garage Lot 2; provided, however, that no such permit shall be issued until the applicant therefore has executed and filed with the Executive Director of Operations or designate, an agreement with the Corporation undertaking to comply fully with all rules and regulations that may from time to time be incorporated as part of such agreement, and without limiting the generality of the foregoing, the applicant shall agree to pay the monthly fee in advance and to surrender the card key and remove the windshield sticker upon expiration of the permit by lapse of time or otherwise. (amended B/L 9143, Sept. 21/87; B/L 9501, Aug.29/88; B/L 9555, October 11, 1988; B/L 10098, January 22, 1990; B/L 10573, Feb. 18/91 (amended B/L 11573, Sept.20/93; deleted & replaced B/L 7-2006, Jan.30/06)).(DELETED BY/LAW 121-2012 AUGUST 27/12)~~

57. Executive Director of Operations or designate, of the Corporation is hereby authorized and directed to issue parking permits to applicants therefore permitting the use of Lots 4-1,4-2,4-3, 6, 9, 14, 15, 16, 18, 21, 22,28,29,31,35,36,37, 38 and 39 on a monthly basis or any fraction thereof upon the payment in advance of a monthly fee as shown on Schedule "T" (Parking Lots) of this by law; and permitting the use of Garage Parking Lots 1,2 and 3 on a monthly basis upon the payment in advance of a monthly fee as shown on Schedule "X" (Garage Parking Lots) of this by law provided, however, that no such permit shall be issued until the applicant has executed and filed with the Executive Director of Operations or designate, an agreement with the Corporation undertaking to comply fully with all rules and regulations that may from time to time be incorporated as part of such agreement, and without limiting the generality of the foregoing, the applicant shall agree to pay the monthly fee in advance and to surrender the card key upon expiration of the permit by lapse or time or otherwise. **(ADDED B/L 121-2012 AUG 27/12)**

58. The Executive Director of Operations shall supply each monthly permit holder referred to in Section 57 with:-

- (1) A numbered permit to be placed by the said holder on the dashboard of his vehicle at the lower left-hand corner; and
- (2) A card key for use in actuating the municipal parking lot control gate system, provided that a deposit of Five Dollars (\$5.00) shall be paid to the Treasurer in respect of the card key, which deposit shall be returnable on the surrender of the card key, and failing surrender thereof shall be forfeited to the Municipality.**(deleted and replaced, B/L 7-2006, Jan.30/06)**

59. ~~Notwithstanding any other provision in this by law, the Executive Director of Operations is hereby authorized and directed to issue parking permits and card keys to employees of the Corporation applying therefore permitting the use of Parking Lots 11, 12, 15, 17, 22, 23, 25, 26, 31 and Parking Garages 1 & 2, as shown on Schedule "T" of this by law, on the payment in advance of a monthly fee of FIVE (\$5.00) DOLLARS per vehicle for Windsor Police Service employees and TWENTY (\$20.00) DOLLARS for other employees of the Corporation; provided that no such permit shall be issued until the applicant therefore has executed and filed with the Executive Director of Operations an agreement with the Corporation undertaking to comply fully with all rules and regulations that may from time to~~

time be incorporated as part of such agreement, and without limiting the generality of the foregoing the applicant shall agree to pay the monthly fee in advance and to surrender the card key and remove the permit upon expiration of the permit by lapse of time or otherwise **(substituted B/L 10346, July 3/90; amended B/L 10573, Feb.18/91; deleted and replaced B/L 7-2006, Jan.30/06).**(DELETED B/L 18-2012 FEB 6/12)

59. Notwithstanding any other provision in this by-law, the Executive Director of Operations is hereby authorized to issue parking permits and card keys to employees of the Corporation or employees of Agencies, Boards and Commissions applying for the same, therefore permitting the use of various municipal parking lots and garages, upon the payment in advance of a month fee as established herein or as identified in the appropriate Collective Agreement or as mandated by the Canada Revenue Agency; provided that no such permit shall be issued until the applicant therefore has executed and filed with the Executive Director of Operations an agreement with the Corporation undertaking to comply fully with all rules and regulations that may from time to time be incorporated as part of such agreement, and without limiting the generality of the foregoing the applicant shall agree to pay the monthly fee in advance and to surrender the card key and remove the permit upon expiration of the permit by lapse of time or otherwise.” **(ADDED B/L 18-2012 FEB 6.12)**

60. Notwithstanding any other provision in this by-law, the Executive Director of Operations shall supply each monthly permit holder referred to in Section 59 of this by-law with:

- (1) A permit to be placed by the said holder on the dashboard of his vehicle at the lower left-hand corner;
- (2) A card key for use in actuating the municipal parking lot control gate system provided that a deposit of FIVE Dollars (\$5.00) shall be paid to the Executive Director of Operations in respect of the card key, and failing surrender thereof shall be forfeited to the Municipality **(substituted B/L 10346, July 3/90; deleted & replaced B/L 7-2006, Jan. 30/06)**

61. No person properly in possession of a card key shall use or permit the same to be used for any vehicle other than the vehicle for which it was issued by the Executive Director of Operations. **(deleted & replaced B/L 7-2006, Jan.30/06)**

62. Any card key used contrary to the provisions of this by-law may be revoked at the discretion of the Treasurer, and the fee paid therefore shall be forfeited to the Municipality.

DEFACING AND OTHER VIOLATIONS

63. No person shall deface or injure, tamper with, destroy or damage any parking meter, Pay and Display Machine, control gate, barrier, direction sign or any other structure or object relating to, placed upon or made part of municipal parking lots and highways by virtue of this by-law.

64. No person shall deposit or cause to be deposited or attempt to deposit in any parking meter, Pay and Display machine, or control gate installed under the provisions of this by-law any object except a coin or coins of lawful tender of the Government of Canada and the United States of America.

PARKING FOR JURORS

65. **(repealed B/L 11573, Sept. 20/93)**

ENFORCEMENT

66. This by-law, where it applies to highways, only applies to highways under the jurisdiction of the Corporation.

67. Schedules "A" to "HH" both inclusive, hereof, shall form part of this by-law and each entry in a column of such Schedule shall be read in conjunction with the entry or entries across therefrom and not otherwise. **(inserted B/L 11338, Feb.15/93)**

68. ~~Members of the Police Department and Provincial Offences Officers of the City of Windsor shall have the duty of enforcing the provisions of this by-law.~~ **(DELETED B/L 112-2013 JULY 8/13)**

68. 1. This By law can be administered and enforced by Members of Windsor Police Services, Provincial Offences Officers of the city of Windsor or any other person authorized by the City **(ADDED B/L 112-2013 JULY 8/13)**

68. 2. Members of Windsor Police Services, Provincial Offences Officers of the City of Windsor, or any other person authorized by the City, may, at any reasonable time, enter on land for the purpose of carrying out an inspection to determine compliance with this by law **(ADDED B/L 112-2013 JULY 8/13)**

EXEMPTION

69. The provisions of this By-law regulating the stopping or parking of vehicles shall not apply to Fire Department vehicles, Police Department vehicles, or any ambulance, while the said vehicles are responding to a call, nor shall this By-law apply to Provincial Offences Officers' vehicles while enforcing this By-law, but this exemption shall not excuse a driver of any such vehicle from exercising due care. **(amended B/L 9143, Sept. 21/87)**

REMOVAL OF VEHICLES

70. ~~Where any vehicle is parked in contravention of this by-law, a police officer may cause it to be moved or taken to and placed in storage and all costs for removing and storing the vehicle shall be a lien upon the vehicle which may be enforced in the manner provided in The Mechanics' Lien Act.~~

70. Where any vehicle is parked in contravention of this by-law, an Officer may cause it to be moved or taken to and placed in storage and all costs for removing and storing the vehicle shall be a lien upon the vehicle which may be enforced in the manner provided in the Repair and Storage Liens Act. **(Amended B/L 62-2021, April 19/21)**

70(2) When properly worded or marked signs, as specified in Schedule "HH" of this By-law, have been erected and are on display, no person shall allow a vehicle, other than a vehicle displaying a municipally issued residential parking permit for that specific area, to be left standing on the portions of the highway as designated in Schedule "GG" (on-street permit parking areas) of this By-law. Where

a person leaves a vehicle in violation of this subsection the vehicle may be removed in accordance with the provisions of section 70 of this By-law. **(added B/L 10405, Sept. 4/90)**

70(3) ~~The Licence Commissioner or designate is hereby authorized and directed to issue on street parking permits to area residents, permitting parking in accordance with Schedule "GG" (on street permit parking areas) provided, however, that should it be required, no such permit shall be issued until the applicant has executed and filed with the Corporation an agreement to comply fully with all the rules and regulations that from time to time may be incorporated in such an agreement, and without limiting the generality of the foregoing, the applicant shall surrender the permit upon expiration of the permit by lapse or otherwise. **(added B/L 10405, Sept. 4/90; amended B/L 11573, Sept.20/93; deleted & replaced B/L 7-2006, Jan.30/06)**~~**(DELETED B/L 6-2012 JAN 9/12)**

70(3) "The Executive Director of Operations or designate is hereby authorized and directed to issue on-street parking permits to area residents, permitting parking in accordance with Schedule "GG" (on-street permit parking areas) provided, however, that should it be required, no such permit shall be issued until the applicant has executed and filed with the Corporation an agreement to comply fully with all the rules and regulations that from time to time may be incorporated in such an agreement, and without limiting the generality of the foregoing, the applicant shall surrender the permit upon expiration of the permit by lapse or otherwise."**(ADDED B/L 6-2012 JAN 9/12)**

70(4) Any person issued a permit under this section shall clearly display the permit either on the driver's side of the front windshield of the vehicle or hanging from the rear view mirror when such a vehicle is parked in accordance with this section. **(added B/L 10405, Sept. 4/90; deleted & replaced B/L 7-2006, Jan.30/06).**

70(5) Where any vehicle is parked in contravention of this by-law in the defined areas set out in Schedule "CC" TOW AWAY AREAS, a police officer or a Provincial Offences Officer may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof are a lien upon the vehicle, which may be enforced in the manner provided by the Repair and Storage Lien Act. **(added B/L 11839, May 30/94)**

~~71(1).—Every person who contravenes any of the provisions of this by law is guilty of an offence and upon conviction is liable to a penalty as provided in The Provincial Offences Act. **(inserted B/L 41338, Feb.15/93)**~~**(DELETED B/L 112-2013 JULY 8/13)**

~~71(1) Each person who contravenes s5,6 or s21(12) of this by law is guilty of an offence and upon conviction is liable to a penalty as provided in the Provincial Offences Act, R.S.O. 1990, c P33 as amended **(ADDED B/L 112-2013 JULY 8/13)**~~**(DELETED B.L 119-2016 AUG 2/16)**

71(1) Each person who contravenes a s.5 or 6 of this by law is guilty of an offence and upon conviction is liable to a penalty as provided in the Provincial Offences Act, R.S.O. 1990, c P33 as amended. **(ADDED B/L 119-2016 AUG 2/16)**

~~71(2) The owner of a vehicle that is parked, stopped or left standing in contravention of s.21(12) is guilty of an offence and upon conviction is liable to such fines as provided in the Provincial Offences Act, unless the owner proves to the satisfaction of the Court that at the time of the offence the motor vehicle was in the possession of another Person without the owner's consent, express or implied~~
(ADDED B/L 112-2013 JULY 8/13) (DELETED B/L 119-2016 AUG 2/16)

~~71(2).—The owner of a vehicle that is parked, stopped or left standing in contravention of this by-law, as the case may be, is guilty of an offence and upon conviction is liable to such fines as provided in the Provincial Offences Act, unless the owner proves to the satisfaction of the Court that at the time of the offence the motor vehicle was in the possession of another person without the owner's consent, express or implied.~~
(inserted B/L 11338, Feb.15/93)(DELETED B/L 112-2013 JULY 8/13)

72. **(amended B/L 9268, Jan. 18/88; B/L 9940, Sept. 18/89; B/L 10429, Sept. 24/90; amended B/L 10656, May 14/91; amended B/L 10836, Nov.4/91; REPEALED B/L 11338, Feb.15/93)**

(2) **(amended B/L 9091, August 5, 1987; B/L 9143, Sept. 21/87; B/L 9268, Jan. 18/88; B/L 9940, Sept. 18/89; B/L 10429, Sept.24/90; REPEALED B/L 10656, May 14/91)**

72 **(added B/L 11779, March 28, 1994; deleted B/L 12618, July 2, 1996)**

~~73.—The defendant may, within twenty days of the service of the parking infraction notice, give notice of intention to appear in Court for the purpose of entering a plea and having a trial pursuant to the Provincial Offences Act.~~
(substituted B/L 10656, May 14/91; substituted B/L 12618, July 2/96)(DELETED B/L 112-2013 JULY 8/13)

73. The defendant may, within twenty days of the service of the parking infraction notice for a contravention of s.21(12) give notice of intention to appear in Court for the purpose of entering a plea and having a trial pursuant to the Provincial Offences Act **(ADDED B/L 112-2013 JULY 8/13)**

~~74. Failure by the defendant to pay the set fine payment or to give notice of intention to appear in Court for the purpose of entering a plea within twenty days of the service of the Parking Infraction Notice shall render the defendant liable to prosecution pursuant to the Provincial Offences Act.~~
(amended B/L 9143, Sept. 21/87; substituted B/L 12618, July 2/96)(DELETED B/L 112-2013 JULY 8/13)

74. Failure by the defendant to pay the set fine payment or to give notice of intention to appear in Court for the purpose of entering a plea within twenty days of the service of the Parking Infraction Notice for a contravention of s.21(12) shall render the defendant liable to prosecution pursuant to the Provincial Offences Act **(ADDED B/L 112-2013 JULY 8. 2013)**

75. (amended B/L 9143, Sept. 21/87; REPEALED B/L 10656, May 14/91)
76. That By-laws Numbered 2303, 5193, 6683 and 7644 be and the same are hereby repealed.
- (amended B/L 9143, Sept. 21/87)
77. (deleted B/L 9143, Sept. 21/87)
78. That this By-law shall come into force and effect on the 1st day of October, 1987.

PART VII
ADMINISTRATIVE PENALTIES AND FEES
(ADDED B/L 112-2013 JULY 8/13)

Designation of Administrative Penalties

79. Sections 80-99, **Schedule “W”** and the parts of this by law to which **Schedule “W”** relates are designated as parts of this By law to which the Parking Administrative Penalty System Applies.

Penalty Notice

80. Each person who contravenes any designated provision of this by-law pursuant to section 79 and each registered owner of that vehicle, when given a Penalty Notice in accordance with this by-law, shall be liable to pay to the City an Administrative Penalty in the amount set out in **Schedule “W”** Administrative Penalties, hereof for each day or part of a day on which the contravention continues, and any fees related thereto.
81. An Officer who has reason to believe that a Person has contravened any provision of this by-law except s.21(12) may give to the Person a Penalty Notice.
82. ~~The Penalty Notice shall be given to the Person as soon as is reasonably practicable and shall include the following information:~~
- ~~(a) The date of the Penalty Notice (DELETED B/L 30-2015 MAR 23/15)~~
 - ~~(b) The Penalty Notice Number~~
 - ~~(c) Particulars of the contravention~~
 - ~~(d) The amount of the Administrative Penalty~~
 - ~~(e) Information respecting the process by which the Person may exercise the Person’s right to request a review of the Administrative Penalty; and~~
 - ~~(f) A statement advising that an Administrative Penalty will, unless cancelled or reduced pursuant to the review and appeal processes, constitute a debt of the Person to the City (DELETED B/L 30-2015 MAR 23/15)~~
 - ~~(g) Penalty due date (ADDED B/L 30-2015 MAR 23/15) (DELETED IN ITS ENTIRETY B/L 61-2015 MAY 4/15)~~
82. The Penalty Notice shall be given to the person as soon as is reasonably practicable and shall include the following information:
- (a) The Penalty Notice Date
 - (b) The Penalty Notice Number
 - (c) Particulars of the contravention
 - (d) The amount of the Administrative Penalty
 - (e) Information respecting the process by which the Person may exercise the Person’s right to request a review of the Administrative Penalty
 - (f) A statement advising that an Administrative Penalty will, unless cancelled or reduced pursuant to the review and appeal processes, constitute a debt of the Person to the City, and
 - (g) Penalty due date
- (ADDED B/L 61-2015 MAY 4/15)
83. ~~Any Person who is given a Penalty Notice and who does not pay to the City the amount of the Administrative Penalty within fifteen (15) days of the Penalty Notice Date shall pay to the City a Fee – MTO Search. (DELETED B/L 30-2015 MAR 23/15)~~
83. Any Person who is given a Penalty Notice and who does not pay to the City the amount of the Administrative Penalty within thirty (30) days of the Penalty Notice Date shall pay to the City a Fee (MTO Search) (ADDED B/L 61-2015 MAY 4/15)
84. ~~A Person who is given a Penalty Notice may request that the Administrative Penalty be reviewed by a Screening Officer and shall do so within 15 days after the Penalty Notice Date. (DELETED B/L 30-2015~~

MAR 23/15)

84. A Person who is given a Penalty Notice may request that the Administrative Penalty be reviewed by a Screening Officer and shall do so within thirty (3) days after the Penalty Notice Date. **(ADDED B/L 61-2015 MAY 4/15)**

Review By Screening Officer

85. The following applies to review of an Administrative Penalty by a Screening Officer:
- (1) Any Person may request that the Screening Officer extend the time to request a review within 30 days after the Penalty Notice Date, at which time the Administrative Penalty shall be deemed to be final
 - (2) Person's right's to request a review, or to request an extension of time to request a review are exercised by giving the City written notice of the request to review that includes:
 - (a) The Penalty Notice Number
 - (b) The Person's mailing address and, if applicable, facsimile transmission number;
 - (c) In the case of a request to extend the time to request a review, the reasons, if any, for having failed to exercise the right to request a review within the time limited by s.84;
 - (d) Particulars of all grounds upon which the request to review is based; and
 - (e) The Person's election to
 - i) ~~meet with the Screening Officer for the review, or~~ **(DELETED B/L 54-2015 MAY 4/15)**
 - ii) have the review undertaken by a Screening Officer in writing in respect of the particulars provided by the Person pursuant to s.7(2)(d)
 - (3) Written notice of the request to review is to be given by completing the Screening Officer Review Form and delivering to the City in accordance with s.92 of this By-law.
 - (4) ~~Where the Person elects to meet with the Screening Officer in accordance with s.85(2)(e)(i) the Person shall be given no fewer than seven (7) days notice of the date, time and place of the hearing of the review by the Screening Officer~~
 - (5) ~~Where the Person elects to meet with the Screening Officer in accordance with s.85(2)(e)(i) and the Person fails to remain at such place until the Screening Officer has made a Screening Decision respecting the Administrative Penalty then:~~
 - (a) ~~The person shall be deemed to have abandoned the request for review;~~
 - (b) ~~The Administrative Penalty shall be deemed to be final~~
 - (c) ~~The Administrative Penalty shall not be subject to review, including review by any Court; and;~~
 - (d) ~~The Person shall pay to the City a Fee Screening No Show~~ **(DELETED B/L 175-2018 DEC. 17/18)**
 - (6) On a review of the Administrative Penalty, the Screening Officer may affirm the Administrative Penalty, or the Screening Officer may cancel the Administrative Penalty, reduce the Administrative Penalty or extend the time for payment of the Administrative Penalty, including any late payment administrative fees, on the following grounds:
 - (a) Where the Person establishes, on a balance of probabilities that the motor vehicle was not parked, standing or stopped as described in the Penalty Notice; or
 - (b) The cancellation of the Administrative Penalty, reduction of the Administrative Penalty or extension of the time for payment of the Administrative Penalty, including any late payment administrative fees, is necessary to reduce undue financial hardship
 - (7) Every Person who requests a review by the Screening Officer shall receive a Screening Decision
86. ~~A person who has been given a Screening Decision pursuant to section 85 may appeal the Screening Decision to a Hearing Officer, and shall do so within 15 days after the Screening Decision was issued. (DELETED B/L 175-2018 DEC. 17/18)~~
86. A person who has been given a Screening Decision pursuant to Section 85 may appeal the Screening Decision to a Hearing Officer, and shall do so within 30 days after the Screening Decision was issued. **(ADDED B/L 175-2018 DEC. 17/18)**

Appeal to Hearing Officer

87. The following applies to appeals to a Hearing Officer against the Screening Decision:
- (1) Any Person may request that the Hearing Officer extend the time to appeal within 30 days after the Screening Decision was issued, at which time the Screening Decision shall be deemed to be final
 - (2) A Person's rights to appeal the Screening Decision to a Hearing Officer or to request an extension of time to appeal are exercised by giving to the City written notice of the request to review that includes:
 - (a) The Penalty Notice Number
 - (b) The Person's mailing address and, if applicable, facsimile transmission number

- (c) In the case of a request to extend the time to appeal, the reasons, if any, for having failed to exercise the right to appeal within the time limited by s.86; and
 - (d) Particulars of all grounds upon which the appeal is made
 - (3) Written notice of the request to appeal is given by completing the Hearing Office Appeal Form and delivering it to the city in accordance with s.92 of this By-law
 - (4) The Person shall be given no fewer than seven (7) day's notice of the date, time and place of the hearing of the appeal by the Hearing Officer
 - (5) If the Person fails to appear at the time and place scheduled for the hearing of the appeal:
 - (a) The Person shall be deemed to have abandoned the appeal;
 - (b) The Screening Decision and the Administrative Penalty as it may have been affected by the Screening Decision shall be deemed to be final;
 - (c) The Screening Decision and the Administrative Penalty as it may have been affected by the Screening Decision shall not be subject to review, including review by any Court; and
 - (d) The Person shall pay to the City a Fee – Hearing No-Show
 - (6) A Hearing Officer shall not make any decision respecting an appeal unless a Hearing Officer has given each of the Person and the Officer who gave the Penalty Notice an opportunity to be heard at the time and place scheduled for the hearing of the appeal
 - (7) On an appeal of the Screening Decision, the Hearing Officer may affirm the Screening Decision, or the Hearing Officer may cancel the Administrative Penalty, including any late payment administrative fees on the following grounds:
 - (a) Where the Person establishes, on a balance of probabilities that the motor vehicle was not parked, standing or stopped as described in the Penalty Notice; or
 - (b) The cancellation of the Administrative Penalty, reduction of the Administrative Penalty or extension of the time for payment of the Administrative Penalty, including any late payment administrative fee, is necessary to reduce hardship
 - (8) Every Person who requests a review by the Hearing Officer shall receive a Hearing Decision
88. The decision of a Hearing Officer is final and not subject to review including review by any Court
89. Neither a Screening Officer nor a Hearing Officer has jurisdiction to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law

Notice

90. Subject to section 91, any notice or document respecting this by law may be given in writing in any of the following ways and is effective:
- (1) When a copy is placed on or affixed in any manner to a Person's vehicle
 - (2) When a copy is delivered to the Person to whom it is addressed
 - (3) On the third (3rd) day after a copy is sent by registered mail or by regular letter mail to the Person's last known address; or
 - (4) Upon the conclusion of the transmission of a copy by facsimile transmission to the Person's last known facsimile transmission number
91. For the purpose of section 90, a Person's last known address, last known facsimile transmission Number and the last known email address are deemed to include those provided by the Person pursuant to sections 85(2) and 87(2)
92. Any notice or document respecting this by-law to be given to the City shall be in writing, shall be given in any of the following ways and is effective:
- (a) When a copy is personally delivered to the City during its regular business hours to "City of Windsor, Public Works, Parking Enforcement Office, 1266 McDougall Avenue, Windsor, Ontario N8X 3M7
 - (b) On the third (3rd) day after a copy is sent by registered mail or by regular mail to "City of Windsor, Public Works, Parking Enforcement Office, 1266 McDougall Avenue, Windsor, Ontario N8X 3M7
 - (c) Upon the conclusion of the transmission of a copy by facsimile transmission to (519) 255-9467

Financial Administration

93. No Officer who gives a Penalty Notice may accept payment of the Administrative Penalty Respecting that Penalty Notice
94. An Administrative Penalty that is affirmed or reduced or in respect of which the time for payment has been extended pursuant to this By-law is due and payable and constitutes a debt to the City of each Person to whom or to which the Penalty Notice was given.
95. Payments of an Administrative Penalty must be received by the due date and will not be credited until received by the City.

96. Where a Person has paid an Administrative Penalty or an administrative fee that is then cancelled or reduced pursuant to this By-law, the City shall refund the amount cancelled or reduced.
97. ~~Where an Administrative Penalty or any administrative fees respecting that Administrative Penalty are not paid within fifteen (15) days after the date that they become due and payable, each Person to whom the Penalty Notice was given shall pay to the City a Fee Late Payment (DELETED B/L 30-2015 MAR 23/15)~~
97. Where an Administrative Penalty or any administrative fees respecting that Administrative Penalty are not paid within thirty (30) days after the date that they become due and payable, each Person to whom the Penalty Notice was given shall pay to the City a Fee Late Payment (**ADDED BY-LAW 30-2015 MAR 23/15**)
98. Where an Administrative Penalty or any administrative fees respecting that Administrative Penalty are not paid within thirty (30) days after the date that they become due and payable, each Person to whom the Penalty Notice was given shall pay to the City a Fee – MTO Plate Denial.

Complaints and Comments

99. ~~Complaints and comments respecting the administrative of the City's system of parking administrative penalties may be given to the Manager of Traffic Operations. The Manager of Traffic Operations shall consider each such complaint or comment in relation to the Manager of Traffic Operation's consideration of opportunities for improvements to the City's system of parking administrative penalties. (DELETED B/L 106-2015 AUG 4/15)~~
99. Complaints and comments respecting the administration of the City's system of parking administrative penalties may be given to the Senior Manager of Traffic Operations, Parking and Transportation Planning. The Senior Manager of Traffic Operations, Parking and Transportation Planning shall consider each such complaint or comment in relation to the Senior Manager of Traffic Operations, Parking and Transportation Planning's consideration of opportunities for improvements to the City's system of parking administrative penalties. (**ADDED B/L 106-2015 AUG 4/15**)

It is Council's opinion that the delegations in this By law to Hearing Officers and to Screening Officers are of a minor nature. In forming this opinion, Council has had regard to the number of people, the size of geographic area and the time period affected by the exercise of each delegated power (**ADDED B/L 112-2013 JULY 8/13**)

~~This By law shall come into force and take effect on September 1, 2013 (ADDED B/L 112-2013 JULY 8/13)(DELETED B/L 137-2013 AUGUST 26/13)~~

This by law shall come into force and take effect on November 1, 2013. (**ADDED BY-LAW 137-2013 AUGUST 26/13**)

(signed) "D. A. Burr"

MAYOR

(SEAL)

(signed) "Thomas Lynd"

CLERK

FIRST READING - June 8, 1987

SECOND READING - June 8, 1987

THIRD READING - June 8, 1987

DocuSign Envelope ID: 741D0E16-C439-4BBD-8E18-21036DA317A8

Court File No.:		CV-22-00030791-0000	
AUTOMOTIVE PARTS MANUFACTURERS' ASSOCIATION	- and -	JIM BOAK et al	- and -
Plaintiff		Defendants	
			THE CORPORATION OF THE CITY OF WINDSOR et al
			Intervenors

ONTARIO
SUPERIOR COURT OF JUSTICE
PROCEEDING COMMENCED AT WINDSOR

**SECOND SUPPLEMENTAL AFFIDAVIT
OF JASON WARD REYNAR**

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**Lawyers for the Intervenor, Corporation
of the City of Windsor**

Court File No: CV-22-00030791-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

AUTOMOTIVE PARTS MANUFACTURERS' ASSOCIATION

Plaintiff/
Moving Party

-and-

JIM BOAK, JOANNE CALLAWAY, HILDA FISHER,
LORI INVERARITY, LEO LUCIO, GIL PONTE, MANBAE SINGH-GALL
DARLENE THOMPSON and JOHN DOE

Defendants/
Responding Parties

-and-

THE CORPORATION OF THE CITY OF WINDSOR,
ATTORNEY GENERAL FOR ONTARIO

Intervening Parties

-and-

THE DEMOCRACY FUND

Intervenor/
Friend of the Court

AFFIDAVIT OF FABIO COSTANTE
(Sworn February 17, 2022)

I, Fabio Costante, of the City of Windsor, in the Province of Ontario, make oath and say:

1. I have served as City Councillor for Ward 2 of the City of Windsor (the “**City**”) since I took office in December 2018. As such, I have knowledge of the matters set forth in this affidavit, except where I have received information from others, in which case I disclose the source of the information and verily believe it to be true.

2. Prior to my election I served as a community advocate for the City of Windsor's west end neighbourhoods and served as a Windsor-Essex Catholic School Board Trustee for Wards 2 and 9.
3. Ward 2 is located in the west end of the City of Windsor, bounded to the north by the Detroit River and to the South by the E.C. Row Expressway and Tecumseh Road West. It extends to approximately Cameron Avenue to the east and to Ojibway Parkway in the west. The Ward is divided approximately in half by Huron Church Road. I have attached a map of Ward 2 hereto as Exhibit "A".
4. Commencing on February 7, 2022, a protest obstructed the intersection of Huron Church Road and College Avenue leading to the Ambassador Bridge as well as the secondary Bridge entrance on Wyandotte St. W. (the "Protest"). The Police restored access to the Bridge late on February 13, 2022. Police presence remains in the area to date.
5. The intersection of Huron Church Road and College Avenue leading to the Ambassador Bridge is in the heart of my Ward, as is the secondary entrance to the Bridge on Wyandotte Street West. Many residents live in close proximity to the entrances to the Ambassador Bridge. I also live in Ward 2, approximately three blocks from the location of the protest, and commute daily across Huron Church Road.
6. Ward 2 is a working class district, and its residents are an eclectic mix including families, seniors, students, and newcomers to Canada. The majority of the University of Windsor campus is within Ward 2. There are five elementary schools and two high schools in the Ward. The Ward is home to a variety of businesses, including many small businesses, grocery stores, pharmacies, professional services, and retailers who provide day-to-day essentials for many residents.
7. Wyandotte Street W. is the centre of a usually-bustling neighbourhood and features numerous small businesses. The Sandwich Town neighbourhood, to the West of Huron Church Road, boasts its own Business Improvement Association and is home to many historically significant buildings.

8. Local businesses and residents have contacted me about the negative impact the protest has had on them. Local business owners have told me that they suffered as a result of people avoiding the area due to the protest. Intermittently, Wyandotte Street West was inundated with trucks, backed up for multiple city blocks as they attempted to access the Bridge *via* its secondary entrance. On at least one occasion, Wyandotte Street West was backed up to Crawford Avenue, which runs perpendicular to Wyandotte and is outside the eastern boundary of my Ward.
9. Many people contacted me about the protest. Residents told me that they were disturbed by noise, including vehicle noise, shouting, and loud music. Local parking was disrupted. The following email is an example of the types of communication I received from residents:

Mr. Costante, the continued blaring of horns and blockading of Huron Church Road by the 'Freedom Protest' pose not only a safety concern for residents in this community, but also a great burden on those who must put up with the unruly behaviour of the participants. During the day school buses were not permitted to cross through the intersection of Girardot and Huron Church due to trucks not stopping properly at the lights. And this evening all lanes of the roadway were blocked to allow for a raging 'party'. Participants were seen carrying barbecues, and loud music blared into the evening. Earlier this week an EMS vehicle had difficulty getting down the roadway. How long will the fire and EMS response times be to these neighbourhoods given the blocked roadway?...

10. Residents told me that the protest impeded their ability to travel about the City. Sandwich Town residents are divided from the rest of the city by Huron Church Road – a major traffic artery. While east-west traffic was still able to flow on University Avenue and Riverside Drive, these streets were more congested than usual given the volume of cars redirected to that area. Many people, including me, must cross Huron Church Road daily to get to work or buy groceries. By closing down this road, the protest left many residents isolated from the rest of Windsor and unable to go about their daily lives.
11. The protest also interfered with public transit through and out of the Ward, requiring transit vehicles to be re-routed - lengthening travel time and creating delays. Many residents expressed to me their frustration and anger with the Protest and its impact on transportation, parking and daily activities in

the Ward. I and other residents were impacted by the uncertainty and anxiety associated with the Protest. I was deeply concerned about the possibility of violence or civil unrest in the Ward.

12. Residents and businesses in Ward 2 continue to be impacted by the Protest.

13. Windsor Police have erected traffic controls along Huron Church Road since February 14, 2022.

This means that traffic disruptions continue to the date of this affidavit, as individuals and transit vehicles are forced to adopt alternate routes to traverse the City from West to East. This is causing delays for many when gas prices are high. For those who rely on Windsor Transit or local cab fares, the burden has increased in both in time and cost.

14. In addition to the foregoing, the business community along Huron Church Road has continued to suffer. Transportation routes to local businesses are blocked or impeded, and the general sensitivity of the situation has precluded many from accessing the businesses.

15. The Protest and its impacts are well outside of the ordinary experience of this community.

SWORN BEFORE ME

conference in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely, the affiant being located in the City of Windsor, in the Province of Ontario, and the Commissioner being located in the City of Hamilton, in the Province of Ontario, on February 17,

}

DocuSigned by:

Bevin Shores

75E43E7F402846F...

Commissioner for Taking Affidavits
(or as may be)

Bevin Shores (LSO #56161F)

DocuSigned by:

Councillor Fabio Costante

524954F5F33C4E3...

FABIO COSTANTE

THIS IS EXHIBIT "A" TO THE AFFIDAVIT OF
FABIO COSTANTE, SWORN BEFORE ME,
DAY OF February, 2022

DocuSigned by:
Bevin Shores
75E43E7E402846E

A COMMISSIONER ETC.
Bevin Shores (LSO #56161F)

**AUTOMOTIVE PARTS
MANUFACTURERS'
ASSOCIATION**
Plaintiff

- and -

JIM BOAK et al
Defendants

- and -

Court File No.: CV-22-00030791-0000
**THE CORPORATION OF THE
CITY OF WINDSOR et al**
Intervenors

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT WINDSOR

**AFFIDAVIT OF FABIO CONSTANTE,
SWORN FEBRUARY 17, 2022**

GOWLING WLG (CANADA) LLP
1600-1 King Street
Toronto ON M5X 1G5

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**Lawyers for the Intervenor, the Corporation
of the City of Windsor**

Court File No: CV-22-00030791-0000

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

AUTOMOTIVE PARTS MANUFACTURERS' ASSOCIATION

Plaintiff/
Moving Party

-and-

JIM BOAK, JOANNE CALLAWAY, HILDA FISHER,
LORI INVERARITY, LEO LUCIO, GIL PONTE, MANBAE SINGH-GALL
DARLENE THOMPSON and JOHN DOE

Defendants/
Responding Parties

-and-

THE CORPORATION OF THE CITY OF WINDSOR,
ATTORNEY GENERAL FOR ONTARIO

Intervening Parties

-and-

THE DEMOCRACY FUND

Intervenor/
Friend of the Court

AFFIDAVIT OF CHERYL MCKINNON
(Sworn February 17, 2022)

I, Cheryl McKinnon, of the City of Guelph, in the Province of Ontario, **DO HEREBY**
SOLEMNLY AFFIRM:

1. I am a paralegal at the law firm, Ruby Shiller Enenajor DiGiuseppe, Barristers, in
Toronto, Ontario. I have been assisting Annamaria Enenajor, counsel for The Corporation

of the City of Windsor, and as such, have knowledge of the matter to which I herein depose, except where I have received information from others, in which case I disclose the source of the information and verily believe it to be true.

2. On February 16, 2022, I commenced an internet search using Google, a publicly available search database to look for evidence of how the participants in the Windsor Ambassador Bridge protest responded to the February 11, 2022 Order of this Honourable Court restraining and enjoining any persons having notice of it from impeding or blocking access to the Ambassador Bridge and indirect or direct approaching roadways for ten days. The Order became effective February 11, 2022 at 7:00 PM.
3. As a result of my search, I uncovered the following. These are not the only messages and videos I found; they are merely a sample:

Some protesters intended to and did, in fact, defy the February 11, 2022 Order:

4. On February 11, 2022 at 6:39 PM, the Twitter account of Sean O'Shea, a reporter affiliated with Global News posted a video with the following description: "The protesters claim they are staying notwithstanding the court injunction issued today." The video shows a group of people standing in what appears to be the middle of a roadway. There is a young man speaking to the crowd through a microphone that amplifies his voice. He explains to the crowd that they now have three options. The first is to continue to stand in front of the intersection, lock arms and go nowhere. In responses to this option, the crowd cheers. The man then announces that option two involves packing up and rolling out. In response to this, members of the crowd can be heard yelling, "no!!!" Finally, the man announces that option three involves sending up a white flag which would result in them "never having an opportunity again." The crowd boos loudly in

response to this option. Towards the end of the video the crowd cheers for the first option. The man with the microphone then says, “we know what we’re doing, we’re staying.” A true copy of this video is attached herein and marked as **Exhibit “A”**. It may also be accessed publicly at

<https://twitter.com/ConsumerSOS/status/1492282220475727873?s=20&t=TVe6aR290-OSuuVxq0MgTg>

5. YouTube is a video hosting platform that I also searched to look for protester responses to the February 11, 2022 Order. On February 17, 2022, I found a video posted on the YouTube channel of the news agency, Fox 2 Detroit. The video was called “Protestors blocking Ambassador Bridge plan to stand their ground.” In the video, a Fox 2 Detroit reporter advises the viewing public that he is on the ground, in Windsor, right in front of the Ambassador Bridge approximately an hour before the February 11, 2022 Order comes into effect. He advises that no one appears to be leaving. He also walks the crowd and interviews protesters who indicate that despite the order, they are going to stand their ground. Towards the end of the video, the reporter yells to the crowd, “Are you guys going to stay or go?” In response, the crowd yells “Stay!” A true copy of this video is attached herein and marked as **Exhibit “B”**. It may also be accessed publicly at https://www.youtube.com/watch?v=XzRINfMcBNo&ab_channel=FoxNews

6. On February 12, 2022 at 1:48 PM, the Twitter account of Sean O’Shea, a reporter affiliated with Global News posted a video with the following description: “Earlier: police move forward asserting that protesters will be arrested if they don’t retreat.” The video shows a line of police officers advancing towards a group of protesters who are

shouting at them. The words “shame on you” can be heard from the group of protesters.

A true copy of this video is attached herein and marked as **Exhibit “C”**. It may also be

accessed publicly at

<https://twitter.com/ConsumerSOS/status/1492571204665974787?s=20&t=TVe6aR290-OSuuVxq0MgTg>

Ongoing plans to continue to protest on roadways approaching the Ambassador Bridge

7. On February 17, 2022, I conducted a search on the social media platform, Facebook. There, I discovered that there is a Facebook page called “WINDSOR SLOWDOWN to Support the Ottawa Convoy”. The page was public, meaning that I was able to access it and review the information contained therein. Based on the information listed on the page, the group appears to have 3,800 members.
8. However, later in the day, when I attempted to access the group, I learned it was private and I was not able to access any information contained therein. The following information was accessed while this Facebook group was still public.
9. The “WINDSOR SLOWDOWN to Support the Ottawa Convoy” Facebook page contained the following posts regarding the February 11, 2022 Order:
 - a. **February 12 Barricade Post:** The post is dated February 12 at 7:51 PM by a user named “Danielle Marie”. The post shows what appears to be a screenshot of a text message communication showing a marked-up map of the roadways leading to the Ambassador Bridge. The text above the map states, “These mark all of the barricades put up! Keep it up guys!! Barricades suggest that they recognize that

we are here to stay, let's stay good on that expectation!" A true copy of this post is attached herein and marked as **Exhibit "D"**.

- b. **February 13 Regroup Post:** The post is dated February 13 at 8:49 AM by a user named Sherri Noviss and reads, "TODAY is NOT a "SET BACK" TODAY is the BEGINNING of a "REGROUP". Below the post are responses to that post from other Facebook users. User Garth Mousseau wrote, "We lost a battle, but the war is far from over." User Pamela L. Couvillon wrote, "I hope u know the police troll throu facebook, don't say anything thats gonna give them the heads up." A true copy of this post is attached herein and marked as **Exhibit "E"**.

Sworn before me by video conference from)
the City of Guelph in the Province of)
Ontario)

(Location of Deponent)

To the City of Toronto in the Province of
Ontario

(Location of Commissioner)

This 17th day of February, 2022



CHERYL MCKINNON


Jessica Zita (SO 2449R) (Feb 17, 2022 16:57 EST)

A Commissioner for taking affidavits, etc.

This is Exhibit "A" to the Affidavit of Cheryl McKinnon
Sworn in the City of Guelph, Province of Ontario
This 17th day of February, 2022


Jessica Zita (USC 2449R) (Feb 17, 2022 16:57 EST)

A Commissioner for oaths, etc.

Exhibit “A”.mp4

This is Exhibit "B" to the Affidavit of Cheryl McKinnon
Sworn in the City of Guelph, Province of Ontario
This 17th day of February, 2022


Jessica Zita (USC 2449R) (Feb 17, 2022 16:57 EST)

A Commissioner for oaths, etc.

Exhibit “B”.mp4

This is Exhibit "C" to the Affidavit of Cheryl McKinnon
Sworn in the City of Guelph, Province of Ontario
This 17th day of February, 2022


Jessica Zita (LSO #2449R) (Feb 17, 2022 16:57 EST)

A Commissioner for oaths, etc.

Exhibit “C”.mp4

This is Exhibit "D" to the Affidavit of Cheryl McKinnon
Sworn in the City of Guelph, Province of Ontario
This 17th day of February, 2022


Jessica Zita (LSO #2449R) (Feb 17, 2022 16:57 EST)

A Commissioner for oaths, etc.



20+



WINDSOR SLOWDOWN to support the Ottawa Convoy

Public group · 3.8K members

Join group



About

Discussion

Featured

Topics

People

Events

Media

Questions



Danielle Marie

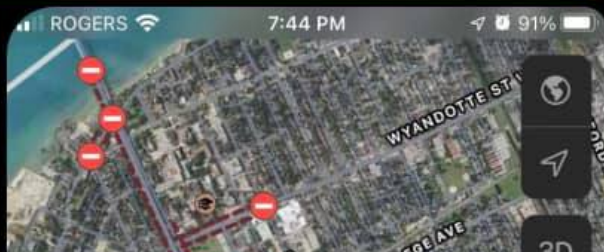
February 12 at 7:51 PM · 🌐



Found a pic of barricades in Windsor now.

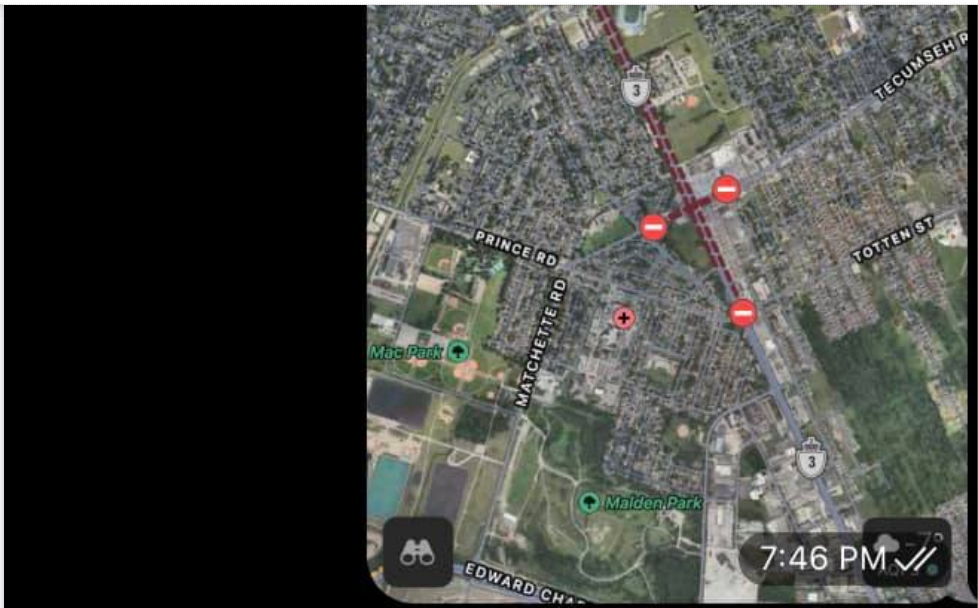
These mark all of the barricades put up! Keep it up guys!! Barricades suggest that they recognize that we are here to stay, let's stay good on that expectation! 😎

7:46 PM ✓✓





20+



67

4 Comments 28 Shares



Like



Comment



Share

Most recent



Submit your first comment...



Anne Krolik
So looks like we won after all haha.

Like Reply Share 3d

2

↪ **Connie Hewton** replied · 1 Reply



Titia Emrich
does not look like they are opening the bridge up anytime soon

Like Reply Share 3d

1

↪ **Danielle Marie** replied · 1 Reply

This is Exhibit "E" to the Affidavit of Cheryl McKinnon
Sworn in the City of Guelph, Province of Ontario
This 17th day of February, 2022


Jessica Zita (USC 2449R) (Feb 17, 2022 16:57 EST)

A Commissioner for oaths, etc.



20+



WINDSOR SLOWDOWN to support the Ottawa Convoy

Public group · 3.8K members

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Sherri Noviss

February 13 at 8:49 AM · 🌐



**TODAY is NOT a
"SET BACK"
TODAY is the BEGINNING of a
"REGROUP"**



**#thegreatresist
#theg... See more**



20+



Like

Comment

Share

Most recent ▼



Submit your first comment...

**Garth Mousseau**

We lost a battle but the war is far from over

Like Reply Share 3d



8

Dee Marlebro replied · 6 Replies

**Pamela L Couvillon**

I hope u know the police troll throu facebook, don't say anything thats gonna give them the heads up

Like Reply Share 2d



2

Sailer Scott replied · 1 Reply

**Michael Joseph Wheeler**

Like Reply Share 1d

View 13 more comments

Court File No: CV-22-00030791-0000

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

AUTOMOTIVE PARTS
MANUFACTURERS' ASSOCIATION
Plaintiff/
Moving Party

-and-

JIM BOAK, JOANNE CALLAWAY,
HILDA FISHER, LORI INVERARITY,
LEO LUCIO, GIL PONTE, MANBAE
SINGH-GALL, DARLENE THOMPSON
and JOHN DOE
Defendants/
Responding Parties

-and-

THE CORPORATION OF THE CITY OF
WINDSOR, ATTORNEY GENERAL FOR
ONTARIO
Intervening
Parties

-and-

THE DEMOCRACY FUND
Intervenor/
Friend of the Court

AFFIDAVIT OF CHERYL MCKINNON
(Sworn February 17, 2022)

ANNAMARIA ENENAJOR
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Counsel for the Intervenor, The
Corporation of the City of Windsor

Court File No: CV-22-00030791-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

AUTOMOTIVE PARTS MANUFACTURERS' ASSOCIATION

Plaintiff/
Moving Party

-and-

JIM BOAK, JOANNE CALLAWAY, HILDA FISHER,
LORI INVERARITY, LEO LUCIO, GIL PONTE, MANBAE SINGH-GALL
DARLENE THOMPSON and JOHN DOE

Defendants/
Responding Parties

THE CORPORATION OF THE CITY OF WINDSOR

Intervener

FURTHER SUPPLEMENTAL AFFIDAVIT OF JASON BELLAIRE
(Sworn February 17, 2022)

I, Jason Bellaire, of the Town of LaSalle, County of Essex, in the Province of Ontario, make oath and say:

1. I am a member of the Windsor Police Service and hold the rank of Deputy Chief of Police of Operations. As such, I have knowledge of the matters set forth in this affidavit, except where I have received information from others, in which case I disclose the source of the information and verily believe it to be true. This Affidavit supplements my Affidavits sworn February 10, 2022 and February 11, 2022.
2. As the Deputy Chief of Operations, the police operation that involves approach and access to the Ambassador Bridge falls under my command. I am responsible for implementing the response to any incident involving the bridge. However, we use a tiered command and control structure that

gives ultimate operational authority on the ground to our Critical Incident Commander(s). They are tasked by me to oversee the critical response to any problems or threats to that area. The Critical Incident Commander(s) control assets, resources, logistics and response in real-time and do so under my authority. I do not make the decisions "on the ground" and did not attend the area each day. However, the Critical Incident Commanders have kept me informed about what has been occurring in the area and the police response to it.

Friday, February 11

3. At 4:35 P.M., on February 11, Windsor Police posted a news release to its online public news room advising that Demonstrators may be committing a criminal offence and that they may be subject to arrest for blocking City streets. A Copy of this news release is attached hereto as Exhibit "A".
4. Starting at approximately 7:00 PM the evening of February 11, 2022, I am advised by the incident Commander and command team that Police negotiators distributed paper flyers to individual Protesters to explain that officers were able to arrest individuals for Mischief if they continued to block access to the Ambassador Bridge ("Bridge"). A copy of the flyer is attached hereto as Exhibit "B".
5. Windsor Police posted to its public twitter account at 4:08 A.M. and 11:51 PM advising the public that their goal was to ensure public safety and keep the peace, and that negotiations remained ongoing with the goal of a peaceful resolution. An excerpt from Windsor's twitter feed, including these posts are attached hereto as Exhibit "C".
6. The situation was fluid on location the evening of February 11, 2022. Some vehicles and people left the area overnight. However, many people and vehicles remained in the area.
7. During the evening of February 11, 2022, after the Order of Chief Justice Morawetz issued on that date (the "February 11 Order") came into effect, officers observed increased demonstrator presence in the Huron Church Rd. area.

8. I am advised by command personnel, and verily believe, that, at approximately 10:00 PM on February 11, Police observed the following at or around the intersection of Huron Church Rd. and Tecumseh Rd. W.

- a. over 200 protestors present;
- b. 50-60 vehicles;
- c. A tent, food tables;
- d. A camper trailer blocking two northbound lanes;
- e. children on scene who appeared to be under the age of 14 years old; and
- f. excessive honking.

9. In addition, I am advised by command personnel, and verily believe that officers observed the following at the intersection of Huron Church Rd at College Ave in the evening hours:

- a. over 300 protesters present;
- b. one southbound lane opened for emergency vehicles to travel following negotiations with protesters;
- c. numerous vehicles north of College Ave. (near the train tracks) including: tractor trailers and large trucks, travel trailers, passenger vehicles, and enclosed trailers;
- d. numerous vehicles south of College Ave. including: tractor trailers and large trucks, pick up trucks and other passenger vehicles;
- e. children on scene;
- f. several tents with food tables;
- g. generators, gas cans, BBQs; and
- h. flags.

10. Vehicles and protesters were also observed at the Wyandotte St. W. entrance to the Bridge at that time.

11. Provincial Offences Officers issued 10 tickets for bylaw infractions on February 11. These were for various parking infractions.

Saturday, February 12

12. At approximately 6:00 AM on Saturday, February 12, Windsor Police observed the following:

a. at the intersection of Huron Church Road at Tecumseh Rd W:

- i. no people observed outside the vehicles or in the area;
- ii. a tent on the roadway from the previous night had been removed;
- iii. 25-30 support vehicles in nearby parking lots (plaza) with people sleeping inside; and
- iv. Numerous vehicles remaining in the northbound lanes blocking traffic including : passenger vehicles and pick-up trucks, 1 camper, and 1 semi-tractor trailer.

b. At the intersection of Huron Church Rd at College Av:

- i. crowd of approximately 75 people;
- ii. some vehicles had left the scene or had moved to a nearby parking lot after being warned by police of the potential fines;
- iii. large tents at or around the roadway and surrounding parking lots ;
- iv. people observed sleeping in vehicles on side streets; and
- v. vehicles continuing to block all bridge traffic except an emergency lane, with people believed to be sleeping inside some of the vehicles.

13. At approximately 8:18 A.M., using its social media accounts, Windsor Police advised the public that Windsor Police and its partners have commenced enforcement at the Ambassador Bridge. The posting on Twitter and Facebook social media accounts urged all demonstrators to act lawfully and peacefully and asked commuters to avoid areas affected by the demonstration. An image of the

Twitter post is included in Exhibit "C". Windsor Police made social media posts throughout the day on February 12 to keep the public advised of the situation and advising the public to avoid the area.

14. At approximately 8:20 A.M., Police moved into the area of Huron Church Rd. at College Ave. Police advised demonstrators that they needed to move their vehicles and leave the area. Trucks blocking the southbound lanes were seen leaving and protestors began to take down their food tent. However approximately 50 protestors remained on scene.
15. Police moved to direct protestors away from the Bridge, advising them to move back. However, police on the ground observed that the number of protestors continued to increase and, after reaching a point on Huron Church Rd. between College Av and Tecumseh Rd W., police set up cement barricades and paused their advance. A surveillance image of the police barricade in this location, is below:



16. At 10:00 AM on Saturday, February 12, Windsor Police observed the following:
 - a. at the intersection of Huron Church Road at Tecumseh Rd W:

- i. 50 people observed in the area;
- ii. several people supporting in the plaza;
- iii. influx in people as the situation evolved;
- iv. in the northbound lanes, approximately 25 passenger vehicles remaining and 1 tractor trailer.

b. At the intersection of Huron Church Rd at College Av:

- i. Police on scene trying to peacefully disperse protestors;
- ii. vehicles voluntarily leaving the intersection – no one towed from that part of the blockade;
- iii. one vehicle in the parking lot at McDonald's; a camper and pick-up truck;
- iv. as the vehicles leave, police guide the crowd southbound on Huron Church Rd.

17. By 10:00 AM, no protestors were present at the intersection of Wyandotte St W. entrance to the Ambassador Bridge.

18. At 2:00 PM on Saturday, February 12, Windsor Police observed the following:

a. at the intersection of Huron Church Road at Tecumseh Rd W:

- i. approximately 600 protestors on scene crowding the scene at the cement barriers;
- ii. children observed with their families;

b. At the intersection of Huron Church Rd at College Av:

- i. police are able to control the intersection at Huron Church Rd and College;
- ii. traffic is blocked off not allowing the public to travel east and westbound;
- iii. no protestors on foot in the area.

19. Active enforcement in relation to parking in the area of the protest commenced at approximately 4:14 PM.
20. At approximately 8:40 PM an individual was arrested at Huron Church Road and Millen Street and charged with the criminal offences of obstructing a peace officer and failing to comply with an undertaking in relation to the demonstration.
21. I am advised by command personnel and believe that on February 12 the crowd of protesters peaked at between 600 and 800 individuals in the evening, with the majority of demonstrators located at the intersection of Huron Church Rd. and Tecumseh Rd. W. Parking lots in plazas along Tecumseh Rd W. were filled with vehicles.
22. On Saturday, February 12, 2022, Provincial Offence Officers, operating under instructions from the Windsor Police Service, issued a further 28 tickets for by-law infractions and at least 7 vehicles were towed from the area.
23. Police monitoring social media noted public discussions regarding the possibility of 200 people arriving from London, ON to fortify the Protest's existing blockade.
24. I was on site on February 12, 2022, from approximately 10:15 AM until 7:00 PM at the Mobile Command Bus set up on California Avenue, north of Union Street, to answer media questions as they arrived.

Sunday, February 13

25. I am advised by command personnel that, in the morning of Sunday, February 13, at approximately 8:30 AM, Police observed protesters and vehicles remaining in the area and the Police line remained on Huron Church Rd between College Ave and Tecumseh Rd W. The cement barriers separating the officers and the remaining protesters remained. An estimated 20 protestors remained on scene. The majority of the vehicles had been moved off the road to nearby parking lots, with a few vehicles continuing to block the roadway.

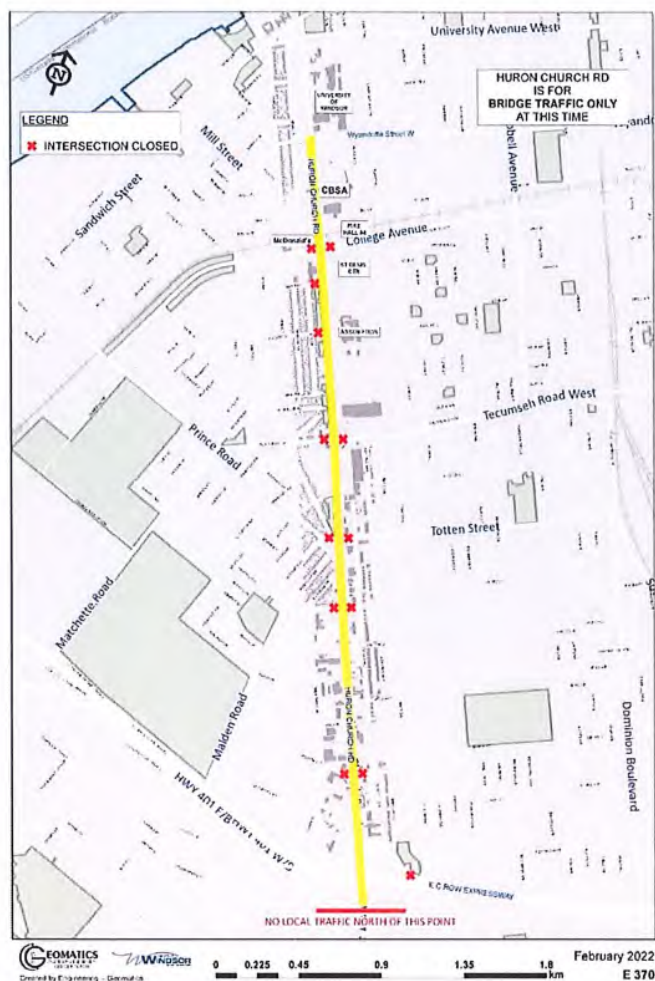
26. After approximately 8:30 A.M., police began to move the crowd out of the roadway of Huron Church Rd., forming a line while walking across all north and southbound lanes of traffic. Police moved past the cement barriers to move the crowd southbound on Huron Church Rd towards Tecumseh Rd W. A second group of police officers were also travelling northbound in the southbound lanes of Huron Church Rd to move the crowd eastbound on Tecumseh Rd W.
27. While the Police moved the crowd out of the roadway of Huron Church Rd., Police arrested individuals who remained in the street and refused to move. Police also towed at least one vehicle that did not leave the area willingly. Most of the individuals and vehicles remaining in the area moved into a privately-owned parking lot plaza on Huron Church Rd at Tecumseh Rd W.
28. Police again sought to negotiate with protesters, warning them that they were required to leave and that cars would be towed. Police officers communicated that all protestors must be legally on the sidewalks.
29. At 11:09 AM on the 13th, Windsor police posted a link on its social media accounts to the February 11 press release warning protesters that they may be committing a criminal offence and be subject to arrest. An image of the posting to Windsor Police's Twitter account is included in Exhibit "C".
30. Protestors who continued to contravene the *Criminal Code* and/or the February 11 Order were arrested. 43 individuals were arrested on February 13 and charged with mischief exceeding \$5,000 and/or disobeying the Order contrary to sections 430(1) and 127 of the *Criminal Code*.
31. Approximately 10 to 15 individuals remained on the sidewalk and eventually moved eastward away from Huron Church Road.
32. At 12:30 PM on Sunday February 13, Windsor Police observed the following at the intersection of Huron Church Rd at Tecumseh Rd W:
- a. 30-40 people in southeast corner – on the road, sidewalk, and Shell Gas Station;
 - b. 10-15 supporters nearby at Dorchester and Huron Church Rd.

33. At 4:00 PM on Sunday February 13, Windsor Police observed less than 20 individuals on the scene on sidewalks at the intersection of Tecumseh Rd W and Northway Ave.
34. Police continued to update the public through social media and news releases. Social media posts from this day are set out in Exhibit "C". A news release summarizing the Police approach to clearing the Protest was issued on February 13, and is attached hereto as Exhibit "D".

Monday, February 14

35. The Windsor Police Service announced via its Twitter account at 12:22 A.M. that the Bridge was open to traffic.
36. On February 14, to prevent protesters from re-entering the area, Police established traffic controls along Huron Church Road at a number of key intersections. Below is a map that Windsor Police made available to the public, including via social media, depicting road closures as of February 14:¹

¹ <https://twitter.com/WindsorPolice/status/1493331721441497095/photo/1>

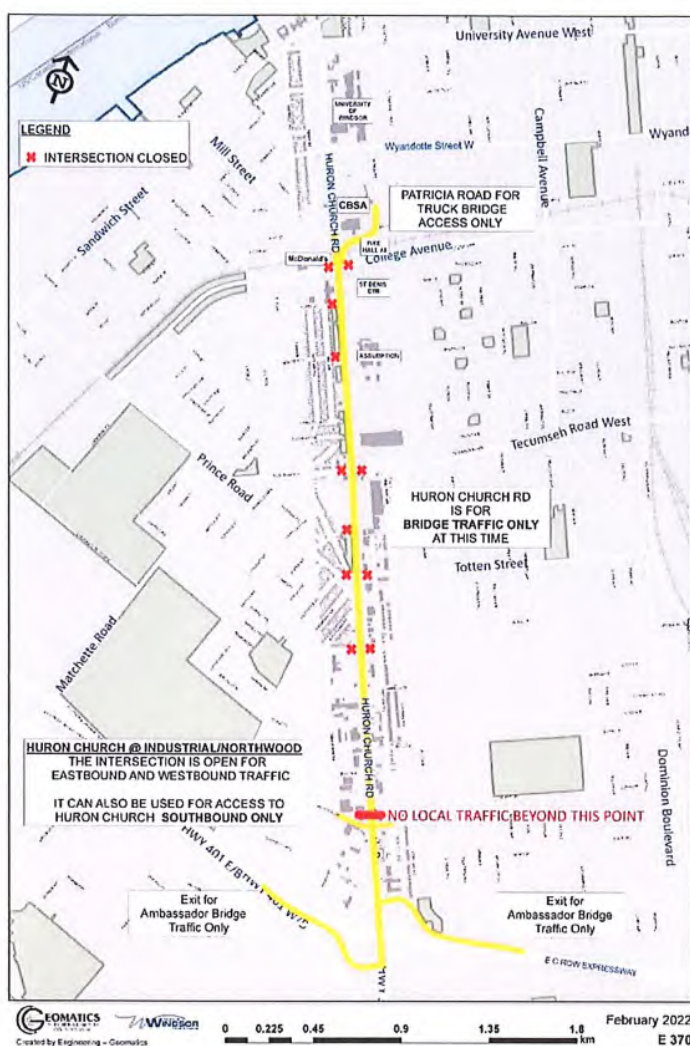


37. On February 14, Huron Church Road was open for bridge-bound traffic only, with no east and west traffic open across Huron Church road between the E.C. Row Expressway and the Bridge. Police advised businesses along Huron Church road requiring access to their businesses to take alternate routes.² Several protesters continued to be observed in the areas around Huron Church Rd at Tecumseh Rd W. and Northway Ave at Tecumseh Rd W throughout the day.
38. On February 15, barricades remained in place from Huron Church Rd from EC Row Expressway to the Ambassador Bridge.

² <https://www.police.windsor.on.ca/newsroom/news-update/february/Pages/February-14-2022-Update-1.aspx>
[Exhibit "E"]

39. On February 16, Police removed certain traffic control points to allow further traffic flow in the area.

A map posted on the Windsor Police Twitter Account at 5:25 PM on February 16 is set out below:³



Arrests and by-law violations

40. Since the beginning of the Protest, Police have:

- a. Made 44 arrests
- b. Laid a total of 86 charges, including 43 charges for breach of a court order.

³ <https://twitter.com/WindsorPolice/status/1494075422883074056/photo/1>

c. Seized and towed at least 18 vehicles.

41. Most of those who were arrested have been released, with one person remaining in custody as of Monday, February 14.

42. Of the by-law infraction tickets, 3 of the tickets were issued for vehicles being parked while obstructing traffic flow.

43. Throughout the operations described above, the Windsor Police Service's primary goal was to ensure public safety and to bring the Protest to a peaceful conclusion.

Risk that Blockade May Resume

44. Throughout Police efforts to clear protesters and subsequently, Police have been monitoring social media communications regarding the Protest.

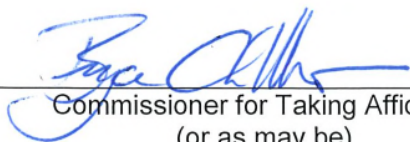
45. On February 11, social media was busy with talk about the injunction. Many comments on Facebook and Zello (a free app that is available to the public) indicated that demonstrators are not very concerned with any fallout from the injunction. Protesters were encouraging each other, claiming that as long as they remained peaceful that the police had no arrest authorities. Individuals on social media advised demonstrators to remain in their illegally parked vehicles as they would not be towed while occupied.

46. Demonstrators on scene were requesting, through social media, that more local people go to the Protest location to support the protesters. They asked people throughout the province to bring vehicles, trucks, and food to assist in their blockade.

47. Several individuals posted on various public social media outlets suggesting that additional vehicles and individuals would be travelling to the area to engage in protests and encouraging others to join protesters already in the area.

48. On February 13, as Police began to clear the Bridge area, discussions continued online about blocking the Detroit-Windsor tunnel and blocking Highway 401. I am advised and do verily believe that topics of online discussion included asking for more trucks to join the Protest, wanting to reorganize the Protest, regrouping into other locations, and using barricades against police.
49. I am advised and do verily believe that other social media posts indicated that further action from protesters was expected, including posts such as "it's not over," "regroup," "we are not done," "slow roll is next," and "Civil War time." Anti-police comments were also observed.
50. On February 15, Police learned of a convoy of several transport trucks from Ottawa with the suspected intention of heading to Windsor. This convoy was successfully intercepted by police at approximately 8:30 PM.
51. As a result of the continued threat of a new blockade, Police continue to control traffic flow onto Huron Church Rd. to protect access to the Bridge.
52. On February 16, approximately 7 protesters were engaging in peaceful protest in the area of Wyandotte Street.
53. On February 16, 2022, police became aware of a poster posted on a public Facebook group page advertising for protesters to regroup on Saturday February 19, 2022 in Windsor. As a result, Windsor Police anticipate that a large number of protestors are likely to congregate immediately after the current injunction expires. Attached as Exhibit "F" is a copy of this poster.
54. As of 6:00 PM on February 17, 2022, Police continue to maintain a presence in the area; various physical and human resources to control traffic are still in place.

SWORN by Jason Bellaire in the City of Windsor, in the Province of Ontario on February 17, 2022.

A blue ink signature of Bryce Chandler, written in a cursive style.

Commissioner for Taking Affidavits
(or as may be)

Bryce Chandler

A black ink signature of Jason Bellaire, written in a cursive style.

JASON BELLAIRE



This is **Exhibit "A"** to the
Affidavit of **Jason Bellaire**
sworn before me, this 17th day of
February, 2022.



Bryce Chandler

A Commissioner for Taking Affidavits





WINDSOR
POLICE



Windsor Police Service News Update

Date: Friday, February 11, 2022

PUBLIC NEWS UPDATE

Message to Demonstrators from Windsor Police Service

The Windsor Police Service wants to make demonstrators clearly aware that it is a criminal offence to obstruct, interrupt or interfere with the lawful use, enjoyment, or operation of property. The offence itself is known as mischief to property.

The unlawful act of blocking streets at and near the Ambassador Bridge is resulting in people being denied the lawful use, enjoyment and operation of their property and causing businesses to close down.

We are providing notice that anyone blocking streets or assisting others in the blocking of streets may be committing a criminal offence and must immediately cease further unlawful activity or you may face charges. You could be arrested if you are a party to the offence or assisting others in the direct or indirect commission of this offence.

Vehicles or other property related to an offence may be seized. Once a vehicle is seized, it may be detained and, following a conviction, possibly forfeited.

Charges and/or convictions related to the unlawful activity associated with the demonstration may lead to denial in crossing the USA border.

For further information:

Contact the WPS Corporate Communication Unit's Public Information Officer at (519) 255-6700 ext. 4204.

Content posted by:

Constable Talya Natyshak

Corporate Communications Unit
Windsor Police Service - Headquarters
Windsor, Ontario, Canada
Office: (519) 255-6700 ext. 4204

Latest News

[February-10-2022-Update-1](#)

[February-15-2022-Update-2](#)

[February-14-2022-Update-1](#)

[February-13-2022-Update-1](#)

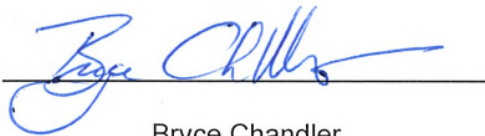
[February-8-2022-Update-1](#)

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© 2022 Windsor Police Service, 150 Goyeau St. Windsor, ON N9A 6V2, Emergency: 911, Non-Emergency: 519-258-6111, E-mail Us

This is **Exhibit "B"** to the
Affidavit of Jason Bellaire
sworn before me, this 17th day of
February, 2022.



Bryce Chandler

A Commissioner for Taking Affidavits



DID YOU KNOW?

The Province of Ontario has declared a State of Emergency.....this means it is anticipated that; effective midnight (February 12, 2022):

- It is illegal and punishable to block and impede the movements of goods, people and services along critical infrastructure
- The new orders will be aimed at protecting international border crossings, 400-series highways, airports, ports, bridges and railways, as well as the safe movement of medical services, public transit, municipal and provincial roadways and pedestrian walkways.
- Fines for non-compliance can include a maximum fine of up to \$100,000 and up to a year in prison.
- The province is also considering taking away personal and commercial licenses (CVOR) from any protesters who do not comply with the order.
- These measures will be *permanent*.

This is **Exhibit "C"** to the
Affidavit of **Jason Bellaire**
sworn before me, this 17th day of
February, 2022.



Bryce Chandler

A Commissioner for Taking Affidavits



...

Follow

Windsor Police

@WindsorPolice

This account is not monitored 24/7. Please do not report a crime here; call 9-1-1 in an emergency, or dial (519) 258-6111 for non-emergency police assistance.

Windsor, Ontario, Canada

police.windsor.on.ca

Joined January 2012

451 Following

39.8K Followers

Not followed by anyone you're following

Tweets

Tweets & replies

Media

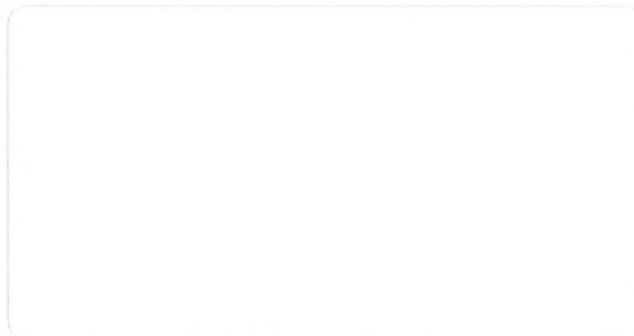
Likes

Windsor Police  @WindsorPolice · Feb 15
WINDSOR POLICE SERVICE NEWS RELEASE

...

Police Enforcement Results Since the Onset of the Demonstrations

police.windsor.on.ca/newsroom/news-...



 20

 24

 63



Windsor Police  @WindsorPolice · Feb 15

...

Rankin is closed from Liberty to Norfolk due to a fire [#YQGtraffic](#) -02072

 2 2 12**Windsor Police**  @WindsorPolice · Feb 15

...

A reminder that northbound Huron Church Rd. from E.C. Row Expressway is for U.S. bound Ambassador Bridge Traffic ONLY at this time. All eastbound and westbound arterial roads off of Huron Church Rd. between E.C.Row Expressway and the bridge entrance remain closed.

 14 21 45**Windsor Police**  @WindsorPolice · Feb 14

...

WINDSOR POLICE SERVICE NEWS RELEASE

Police Road Closure Update

police.windsor.on.ca/newsroom/news-...

 15 26 51**Windsor Police**  @WindsorPolice · Feb 14

...

Our E911 Communications Centre phone lines need to remain open for emergencies. 911 is for Emergencies ONLY! Our non-Emergency lines are for police matters other than emergencies. Please DO NOT call for updates on traffic or general questions about the demonstration area.

5 24 31

Windsor Police @WindsorPolice · Feb 14

A reminder that northbound Huron Church Road from E.C. Row Expressway is for U.S. bound Ambassador Bridge Traffic ONLY!

15 25 87

Windsor Police @WindsorPolice · Feb 14

The entrance to the Ambassador Bridge off Wyandotte St West is open. Eastbound and westbound traffic on Wyandotte St West is open.

7 30 111

Windsor Police @WindsorPolice · Feb 14

Businesses north of E.C. Row Expressway remain open, however alternate routes are required for access. Traffic along Huron Church is strictly for bridge entrance & exit only. Please do not call our E911 Centre for traffic info. If you require directions call the business directly

5 24 34

Windsor Police @WindsorPolice · Feb 14

The Ambassador Bridge is open. To access the bridge you must enter onto Huron Church Rd south of E.C. Row Expressway. There is no eastbound or westbound access onto Huron Church Rd from E.C. Row Expressway to Wyandotte. The Wyandotte entrance to the bridge is closed at this time.

14 47 137

Windsor Police @WindsorPolice · Feb 14

We continue to remind the public that enforcement is ongoing in the demonstration area and there will be zero tolerance for illegal activity. The public should also continue to avoid the area.

22 27 161

Windsor Police @WindsorPolice · Feb 14

We are urging all pedestrians to use the overhead crosswalk at Huron Church Rd. at Girardot St., and the crosswalks at Huron Church Rd. at Tecumseh Rd W., when crossing Huron Church Rd. for your safety.

4 14 38

Windsor Police @WindsorPolice · Feb 14

Please refrain from calling our E911 Communications Centre for information regarding the reopening of the Ambassador Bridge. Our lines need to remain open for emergencies only.

For Border wait times: cbsa-asfc.gc.ca/bwt-taf/menu-e...

9 16 49

Windsor Police @WindsorPolice · Feb 14

The Ambassador Bridge is now open. There is no eastbound or westbound access onto Huron Church Rd. from the expressway to Wyandotte. Thank you for your patience.

Border Services SOR @CanBorderSOR · Feb 13

ALERT: Normal border processing has resumed at the Ambassador Bridge. Non-essential travel is not advised. cbsa-asfc.gc.ca/dor-rb/menu-eng...



Windsor Police

20.2K Tweets

Follow

34 77 166

Windsor Police Retweeted

Chief Pam Mizuno @PamMizuno · Feb 13

I am very thankful for today's peaceful outcome. This would not have been possible without the professionalism & dedication of all our policing partners & WPS members and the hard work and incredible support from all our other partners & the community. My sincere thanks to all.

74 63 707

Windsor Police @WindsorPolice · Feb 13

We would like to remind the public that enforcement is continuing in the demonstration area and there will be zero tolerance for illegal activity. The public should avoid the area.

59 76 384

Windsor Police @WindsorPolice · Feb 13

.@PamMizuno provided media updates today during a press conference. She stated, "We need to make sure that prior to reopening traffic in the area it is safe to do so."... "In addition, any unlawful activity in the area will not be tolerated."

globalnews.ca

Trucker protests: 'Huge step in right direction,' Wi...

Watch Trucker protests: 'Huge step in right direction,' Windsor, Ont. police chief says of ...

15 25 92

Windsor Police @WindsorPolice · Feb 13

A press conference will be held at 4:30 pm. Media can attend the staging area located on California Ave., North of Union. Chief Pamela Mizuno will address the media.

44 27 130

Windsor Police @WindsorPolice · Feb 13

There are numerous accidents reported throughout Windsor in the last hour. Please proceed with caution if you must be driving on the roadways. #YQGtraffic -11509

25 36 114

Windsor Police @WindsorPolice · Feb 13

Enforcement is continuing as demonstrators are in now on Tecumseh Road West in between Northway and Huron Church Road. There will be zero tolerance for illegal activity. The public should avoid the area. Multiple arrests have been made in this area.

131 172 736

Windsor Police @WindsorPolice · Feb 13

WINDSOR POLICE SERVICE NEWS RELEASE

Demonstration Update

police.windsor.on.ca/newsroom/news-...

51 60 159

Windsor Police @WindsorPolice · Feb 13
Correction made to News Release. Should have read Sunday February 13 (not Saturday).

13 3 40

Windsor Police @WindsorPolice · Feb 13
Enforcement is continuing in the demonstration area and there will be zero tolerance for illegal activity. The public should avoid the area.

63 51 272

Windsor Police @WindsorPolice · Feb 13
Media are reminded that there's a media staging area on California Avenue just North of Union. Media officers will be available for updates.

13 22 79

Windsor Police @WindsorPolice · Feb 13
Business owners in the area of the demonstration are asking people to remove their vehicles from private property. They are also asking for police assistance to notify demonstrators to leave their property as they are trespassing.

28 93 323

Windsor Police @WindsorPolice · Feb 13
Enforcement will continue in the demonstration area and there will be zero tolerance for illegal activity. The public should avoid the area.

397 404 1,903

Windsor Police @WindsorPolice · Feb 13
Enforcement actions continue at the demonstration area with arrests being made. Vehicles being towed. Please continue avoiding the area.

677 475 2,029

Windsor Police @WindsorPolice · Feb 13
Northbound Huron Church Road is closed at the E.C. Row Expressway. Please use an alternate route.

34 32 80

Windsor Police @WindsorPolice · Feb 12
A 27 yr old male was arrested at Huron Church Rd at Millen St. for a criminal offence in relation to the demonstration. Officers will intervene when necessary to ensure the safety of the public & maintain peace & order.

170 123 648

Windsor Police @WindsorPolice · Feb 12
Active enforcement in relation to parking in the area of the protest is commencing. Vehicles are being ticketed and towed.

486 994 5,817

Windsor Police @WindsorPolice · Feb 12
A vehicle on Huron Church Road near the demonstration area was towed at the request of the owner due to a mechanical issue.

47 24 137

- Windsor Police ✓ @WindsorPolice · Feb 12
Deputy Chief Bellaire is available at the media staging area located on California Ave just North of Union for media inquiries.
32 25 90
- Windsor Police ✓ @WindsorPolice · Feb 12
Any vehicle parked on private property without permission may be subject to tow.
29 51 229
- Windsor Police ✓ @WindsorPolice · Feb 12
Enforcement continuing, individuals who are located within the demonstration area are subject to arrest. People are advised to immediately vacate the area.
269 267 1,000
- Windsor Police Retweeted
Windsor Police ✓ @WindsorPolice · Feb 11
WINDSOR POLICE SERVICE NEWS RELEASE
Message to Demonstrators from Windsor Police Service
police.windsor.on.ca/newsroom/news-...
126 164 350
- Windsor Police ✓ @WindsorPolice · Feb 12
WPS along with policing partners continue to engage with demonstrators for the purpose of enforcement. No arrests at this time. We appreciate the cooperation of the demonstrators at this time and we will continue to focus on resolving the demonstration peacefully. Avoid area!
83 123 415
- Windsor Police ✓ @WindsorPolice · Feb 12
Huron Church Road at Totten Northbound is now closed. A reminder to the public to please avoid the area of the current demonstration.
14 30 92
- Windsor Police ✓ @WindsorPolice · Feb 12
Media can attend the Centre of Automotive Research and Education located on California Ave. North of Union St. to be provided updates. Officers will be arriving in the area shortly.
17 33 100
- Windsor Police ✓ @WindsorPolice · Feb 12
The Windsor Police & its policing partners have commenced enforcement at and near the Ambassador Bridge. We urge all demonstrators to act lawfully & peacefully. Commuters are still being asked to avoid the areas affected by the demonstrations at this time.
1,167 1,850 6,418

Windsor Police  @WindsorPolice · Feb 11

Pedestrian struck by a vehicle at Tecumseh Rd W at Huron Church Rd. Young female child victim suffered non-life threatening injuries. Adult male driver arrested for leaving scene of an accident. Active investigation. Call police with any info. 22-11887.

 98

 513

 671

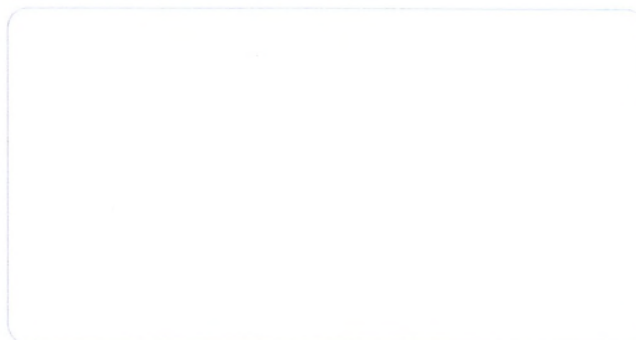


Windsor Police  @WindsorPolice · Feb 11

WINDSOR POLICE SERVICE NEWS RELEASE

Message to Demonstrators from Windsor Police Service

police.windsor.on.ca/newsroom/news-...



 126

 164

 350



126 164 350

Windsor Police @WindsorPolice · Feb 11
Despite media reports, the area of the Ambassador Bridge remains blocked and we advise motorists to avoid the area. Negotiations remain ongoing with the goal of a peaceful resolution.

83 102 236

Windsor Police @WindsorPolice · Feb 11
@WindsorPolice & our policing partners respects the right of everyone to freedom of expression and peaceful assembly. It is our goal to ensure public/road safety and to keep the peace.

60 16 83

Windsor Police @WindsorPolice · Feb 10
We have additional resources deployed from outside jurisdictions for the purpose of helping support a peaceful resolution to the current demonstration at and near the Ambassador Bridge.

56 53 241

Windsor Police @WindsorPolice · Feb 10
We ask people to stop calling our E911 Communications Centre for info on bridge wait times or how they should proceed with their plans. Truckers should still utilize the Blue Water Bridge in Sarnia & commuter traffic use the tunnel.
Our lines need to remain open for emergencies.

63 49 124

Windsor Police @WindsorPolice · Feb 10
Although the Ambassador Bridge is not closed US bound, the presence of demonstrators are making it difficult to access the bridge. We urge all motorists to avoid both access points to the bridge. All those attempting to cross the Ambassador Bridge should expect significant delays

71 46 53

Windsor Police @WindsorPolice · Feb 10
There is potential for traffic congestion along Wyandotte St. W. near the Ambassador Bridge today which could result in travel delays for students attending the schools in the nearby areas. Find alternate routes if possible.
[#GECDSB](#) [#WECDSB](#)

26 28 24

Windsor Police @WindsorPolice · Feb 10
TRAFFIC UPDATE: Officers are monitoring traffic around the area of the Ambassador Bridge. Officers are working hard to ensure order & public safety. Avoid the area, if possible.

20 14 38

Windsor Police @WindsorPolice · Feb 9
TRAFFIC UPDATE: E/B and W/B traffic on Tecumseh Road at Huron Church Rd. is CLOSED due to the demonstration. Avoid the area or find an alternate route, if possible.

22 17 23

Windsor Police @WindsorPolice · Feb 10

This is **Exhibit "D"** to the
Affidavit of **Jason Bellaire**
sworn before me, this 17th day of
February, 2022.



Bryce Chandler

A Commissioner for Taking Affidavits





WINDSOR

**Windsor Police Service News Update****Date: Sunday, February 13, 2022**

PUBLIC NEWS UPDATE

Demonstration Update

Throughout this demonstration, Police have respected the protesters' freedom of expression and their right to a peaceful assembly. The importance of public safety remained the number one priority of officers with the goal being a peaceful resolution. Remaining committed to professionalism, keeping lines of communication open and using proper police discretion, guided our response to this major event.

The Windsor Police Service along with policing partners used a progressive approach by ensuring open lines of communication and continuous negotiations with protestors. During these negotiations, demonstrators were made aware that their actions were illegal and subject to arrest, specifically that they could be charged with mischief.

We also recognize the rights of the general public, local residents and businesses to a safe environment. Police used discretion during the course of the demonstration to avoid creating an unstable situation and potentially putting the public at risk. This exercising of police discretion should not be confused with lack of enforcement.

On Sunday, February 13, 2022, police at the demonstration site engaged protesters for the purpose of continued enforcement and several arrests were made. The arrested persons are all facing a charge of mischief. Multiple vehicles within the demonstration area were also seized.

You will see a continued police presence in the area in order to maintain an environment that is safe. In an effort to work towards resuming traffic flow, a continuous assessment of the situation is vital to ensure a sustainable solution.

Content posted by:

Constable Talya Natyshak
Corporate Communications Unit
Windsor Police Service - Headquarters
Windsor, Ontario, Canada
Office: (519) 255-6700 ext. 4204

Latest News[February-10-2022-Update-1](#)

[February-15-2022-Update-2](#)

[February-14-2022-Update-1](#)

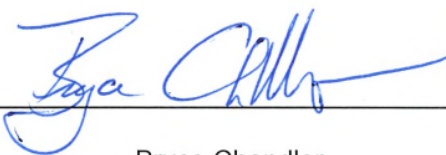
[February-13-2022-Update-1](#)

[February-8-2022-Update-1](#)

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This is **Exhibit "E"** to the
Affidavit of **Jason Bellaire**
sworn before me, this 17th day of
February, 2022.



Bryce Chandler

A Commissioner for Taking Affidavits



2/17/22, 6:05 PM

February-14-2022-Update-1

**Windsor Police Service News Update****Date: Monday, February 14, 2022**

PUBLIC NEWS UPDATE

Police Road Closure Update

The Windsor Police Service would like to appeal to the community and ask for their continued patience, now that the Ambassador Bridge has reopened. Below is an update to our current traffic situation.

Access onto Huron Church Road northbound is for Ambassador Bridge Traffic ONLY at this time. U.S. bound traffic can access Huron Church Road northbound from Highway 3 and the 401, or enter the bridge from the Wyandotte Street West entrance. Southbound traffic coming from the U.S. off the Ambassador is not affected at this time.

All eastbound and westbound arterial roads off of Huron Church Road between the E.C. Row Expressway and the bridge entrance, remain closed. There is potential for traffic delays in the area, therefore we are asking that you plan your route accordingly.

All businesses on Huron Church Road remain open, however alternate routes are required for access. If you require directions, please refer to the provided map.

For your safety, we are urging all pedestrians to use the overhead crosswalk at Huron Church Road at Girardot Street as well as the crosswalks at Huron Church Road at Tecumseh Road West, when crossing Huron Church Road. We urge all pedestrians to use extra caution when crossing at Huron Church Road at Tecumseh Road West.

Please refrain from calling our E911 Communications Centre for information regarding the reopening of the Ambassador Bridge or any related questions. Our phone lines need to remain open for emergencies only.

Police enforcement will continue in the demonstration area, and there will be zero tolerance for any unlawful activity.

We encourage you to follow our social media accounts for the most up to date information. Continuous updates will be posted as they become available.

Twitter: @WindsorPolice

Facebook: Windsor Police Service

 picture of suspect 1

For further information:

Contact the WPS Corporate Communication Unit's Public Information Officer at (519) 255-6700 ext. 4204.

Content posted by:

Constable Talya Natyshak

Corporate Communications Unit

2/17/22, 6:05 PM

February-14-2022-Update-1

Windsor Police Service - Headquarters
Windsor, Ontario, Canada
Office: (519) 255-6700 ext. 4204

Latest News

[February-17-2022-Update-1](#)

[February-10-2022-Update-1](#)

[February-15-2022-Update-2](#)

[February-14-2022-Update-1](#)

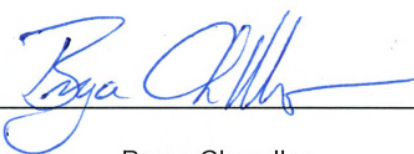
[February-13-2022-Update-1](#)

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This is **Exhibit "F"** to the
Affidavit of Jason Bellaire
sworn before me, this 17th day of
February, 2022.



Bryce Chandler

A Commissioner for Taking Affidavits



HOLD THE LINE

Windsor Regroups at the Flag

Windsor just delayed Ambassador Bridge traffic for a week, and Castreau declared martial law.

LET'S TALK ABOUT THAT.



WCHEN
Sat, Feb 19th @2pm

WCHEN
Great Canadian Flag
@ Windsor Riverfront

**AUTOMOTIVE PARTS
MANUFACTURERS'
ASSOCIATION**
Plaintiff

- and -

JIM BOAK et al
Defendants

- and -

Court File No.: CV-22-00030791-0000
**THE CORPORATION OF THE
CITY OF WINDSOR et al** E492
Intervenors

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT WINDSOR

**SUPPLEMENTAL MOTION RECORD OF
THE INTERVENOR, THE
CORPORATION OF THE CITY OF
WINDSOR**

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**Lawyers for the Intervenor, the Corporation
of the City of Windsor**